RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, DELEGATING AUTHORITY TO THE CITY MANAGER TO REQUEST THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO CONVEY ANY AND ALL OF ITS INTEREST IN THE CERTAIN PROPERTY AS ACQUIRED BY FDOT BY STIPULATED FINAL JUDGEMENT BEING IDENTIFIED IN THE SKETCHES & LEGAL DESRIPTIONS ATTACHED TO THIS RESOLUTION LABELED AS EXHIBITS "A" & "B"; WHICH PROPERTY IS TO BE UTILIZED FOR THE PUBLIC PURPOSE OF RESTORING AND MAINTAINING THE WATERWAY OF THE OSCEOLA CREEK, A TRIBUTARY TO THE SOUTH FORK OF THE NEW OF RIVER: REPEALING ANY AND ALL PARTS **RESOLUTIONS IN CONFLICT HEREWITH: AND PROVIDING** FOR AN EFFECTIVE DATE.

WHEREAS, the FDOT acquires real properties, including easement rights appurtenant thereto, for transportation facilities for the citizens of the State of Florida; and

WHEREAS, the FDOT is permitted by law to convey real property, including easement rights appurtenant thereto, that FDOT no longer needs and determines to be surplus to other public entities to further the public needs of the State of Florida; and

WHEREAS, the CITY can utilize FDOT's surplus real property and drainage easement rights over the real property described on the attached Exhibits "A" & "B" for the benefit of restoring and maintaining the waterway at Osceola Creek; and

WHEREAS, it is in the best interests of the citizens of the State of Florida to gain the most benefit from real properties and drainage easement rights appurtenant thereto which were acquired with public funds; and

WHEREAS the CITY is requesting that FDOT convey to the CITY surplus real property and drainage easement rights appurtenant thereto over the real property and drainage easement rights appurtenant thereto described in the attached Exhibits "A" & "B"; and

WHEREAS, the surplus real property and drainage easement rights appurtenant thereto are sought for the restoration and management of the Osceola Creek, a tributary of the South Fork of New River and is proposed to be conveyed to the CITY for the public purpose of providing stormwater management pursuant to the CITY's Osceola Creek Project and would serve a valid municipal purpose.

23-

ATTEST:

RESOLUTION NO. 23-

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

<u>SECTION 1</u>. The foregoing recitals are true and correct and incorporated into this Resolution by reference.

<u>SECTION 2</u>. The CITY, by and through its City Manager, is hereby authorized to request FDOT to convey any and all surplus real property and drainage easement rights appurtenant thereto to the City pursuant to Section 337.25 (4) (b), Florida Statutes (2022), over the lands described in the attached Exhibits "A" & "B" without consideration, upon condition that said property rights must be utilized for public drainage purposes and that if said property ceases to be utilized for said public drainage purposes, any and all property interests in said property shall automatically revert back to FDOT.

<u>SECTION 3</u>. The surplus real property and drainage easement rights appurtenant thereto to be conveyed by Quit Claim Deed to the CITY by FDOT will be used for the stormwater management which will be in the best interests of the general public for the CITY and will serve a valid municipal purpose.

<u>SECTION 4</u>. That all Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.

<u>SECTION 5</u>. This Resolution shall be effective upon final adoption and execution by the proper public officials.

<u>SECTION 6</u>. Upon adoption of this Resolution, the City Clerk shall forward an executed copy of this Resolution to Carlos Martinez, Florida Department of Transportation, 3400 W. Commercial Blvd., Fort Lauderdale, FL 33309-3421, for further handling.

ADOPTED this _____ day of _____, 2023.

Mayor DEAN J. TRANTALIS

City Clerk DAVID R. SOLOMAN Dean J. Trantalis

John C. Herbst

Steven Glassman

CAM 23-0249 Exhibit 3 Page 2 of 18 **RESOLUTION NO. 23-**

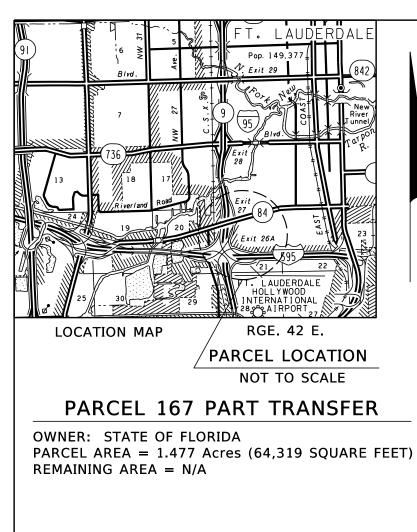
PAGE 3

APPROVED AS TO FORM:

Pamela Beasley-Pittman

Warren Sturman

Interim City Attorney D'Wayne Spence



E	
LEGEND:	
Δ B.C.R. (C) C.B. COR. D.C.R. EXIST. F.P. L L/A LB (M) (P) P.B. PG. P.O.B. R REF.	 DELTA BASELINE OF SURVEY BROWARD COUNTY RECORDS CALCULATED CHORD BEARING CORNER MIAMI-DADE COUNTY RECORDS EXISTING FINANCIAL PROJECT LENGTH LIMITED ACCESS LICENSE BUSINESS MAP PLAT PLAT BOOK PAGE POINT OF BEGINNING RADIUS REFERENCE DICUT OF WAY
R/W RGE.	= RIGHT OF WAY = RANGE
RT	= RIGHT
S.R. STA.	= SECTION = STATE ROAD = STATION = TANGENT = TOWNSHIP

FXHIBIT "A"

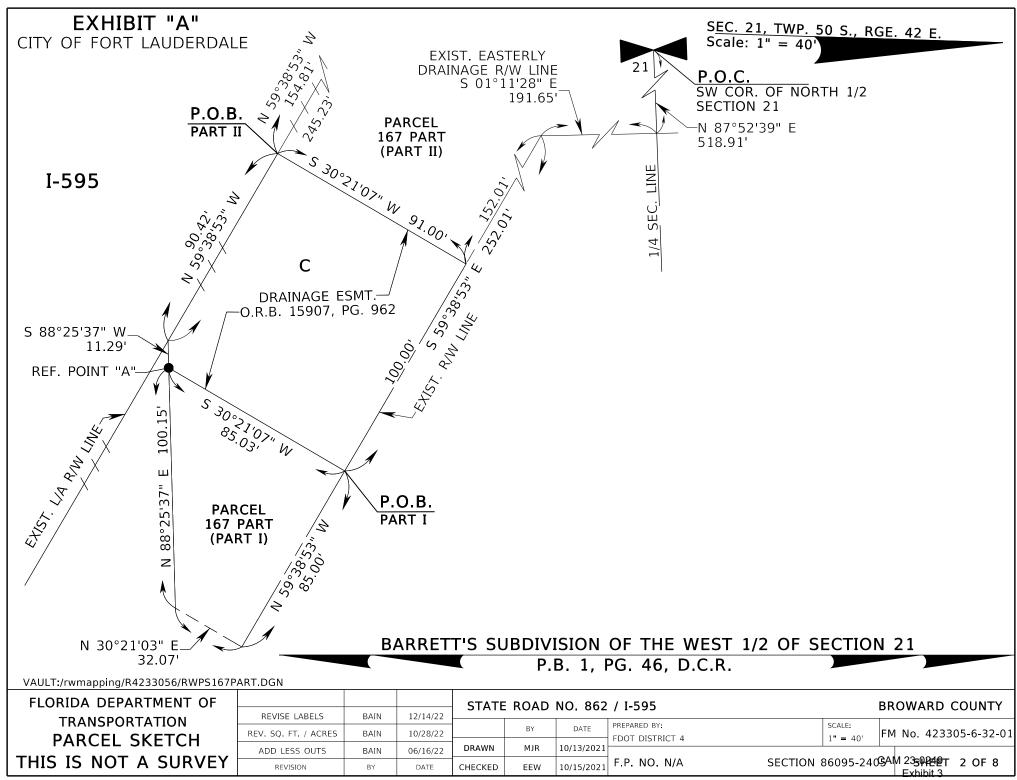
GENERAL NOTES:

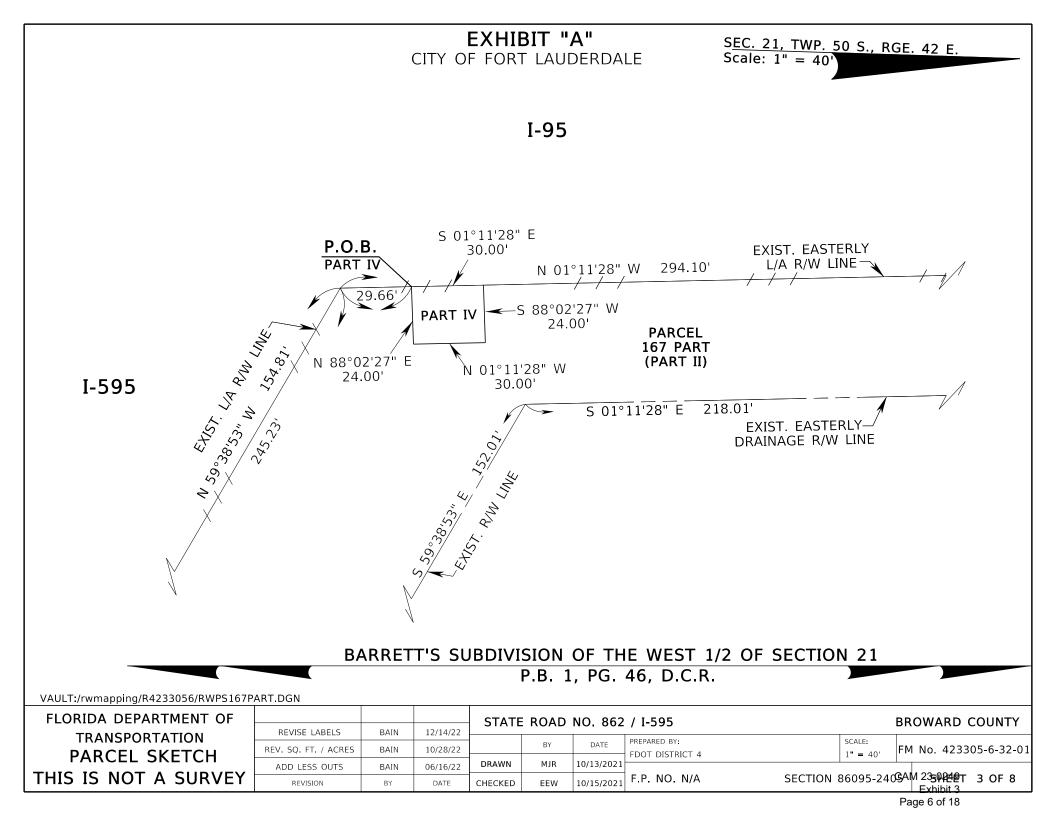
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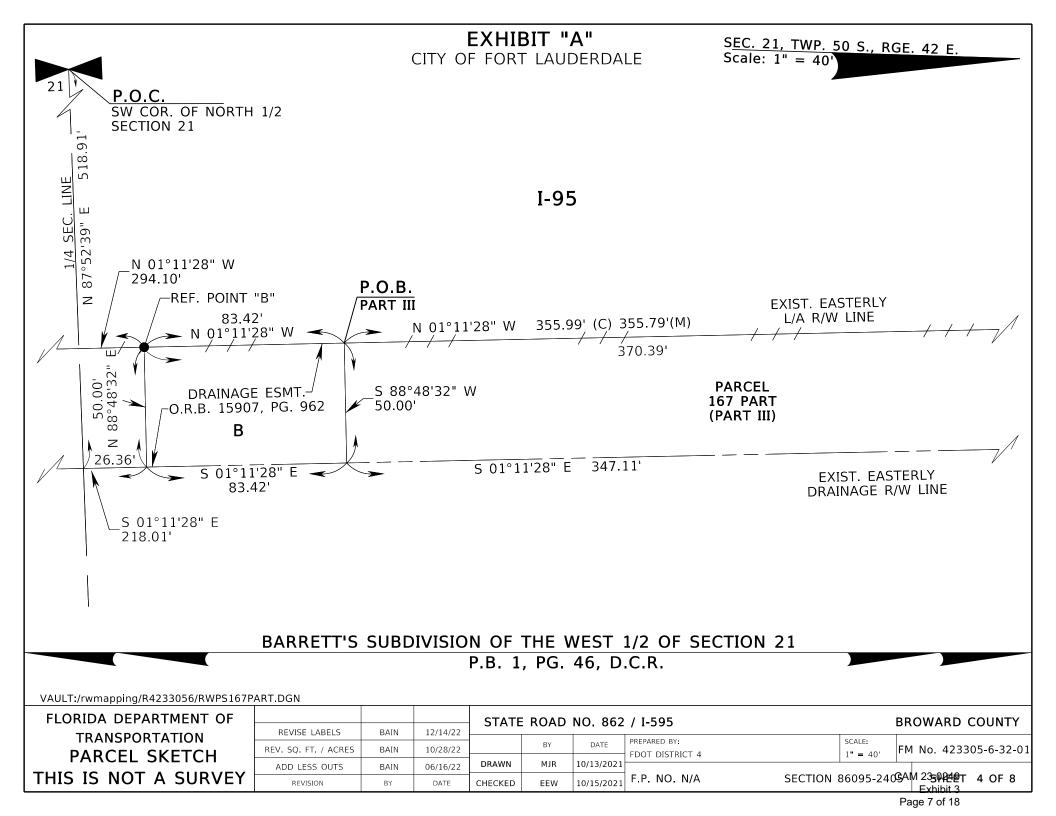
- 1. BEARINGS AND COORDINATES SHOWN HEREON ARE RELATIVE TO THE STATE PLANE COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983/1990 ADJUSTMENT (NAD 83/90). A BEARING OF NORTH 01°11'28" WEST, HAS BEEN ESTABLISHED BASED ON THE EXISTING EASTERLY L/A R/W LINE OF S.R. 862 / I-595, AS SHOWN F.D.O.T. R/W MAP FOR S.R. 862 / I-595, SECTION 86095-2405, SHEET 17, DATED APRIL 1983. AS ON FILE AT DISTRICT IV SURVEYING AND MAPPING IN FORT LAUDERDALE, FLORIDA.
- 2. THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
- 3. ALL DIMENSIONS ARE BASED ON THE AFORESAID F.D.O.T. R/W MAP FOR S.R. 862 / I-595, UNLESS OTHERWISE NOTED.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 4-SURVEYING AND MAPPING 3400 WEST COMMERCIAL BOULEVARD FT. LAUDERDALE, FLORIDA 33309 (954) 777-4560

			-	FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL SKETCH - NOT A SURVEY								
REVISE LABELS	BAIN	12/14/22	STATE I	ROAD	IO. 862 /	′ I-595		В	ROWARD COUNTY			
REV. SQ. FT. / ACRES	BAIN	10/28/22		BY	DATE	PREPARED BY: FDOT DISTRICT 4	SCAL N/A		4 No. 423305-6-32-01			
ADD LESS OUTS	BAIN	06/16/22	DRAWN	MJR	10/13/2021							
REVISION	BY	DATE	CHECKED	EEW	10/15/2021	F.P. NO. N/A	95-240 9 A	M 235047462T 1 OF 8 Exhibit 3				
								Pa	age 4 of 18			







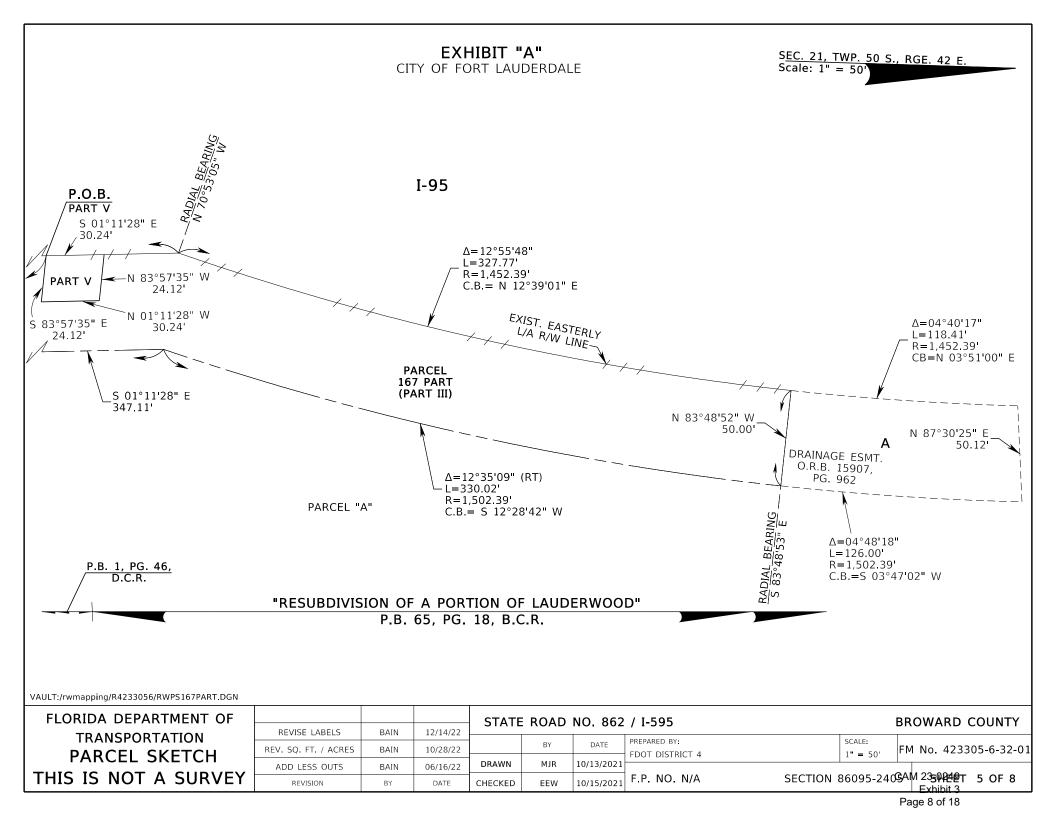


EXHIBIT "A"

PART I

Those portions of: Parcel A of the RESUBDIVISION OF A PORTION OF LAUDERWOOD, according to the Plat thereof, as recorded in Plat Book 65, Page 18, of the Public Records of Broward County, Florida AND Tracts 8 and 9 and the unnumbered Tract between said Tracts 8 and 9, BARRETT'S SUBDIVISION, of the West 1/2 of Section 21, Township 50 South, Range 42 East, as recorded in Plat Book 1, Page 46, of the Public Records of Miami-Dade County, Florida; being more particularly described as follows:

Commence at the Southwest corner of the North 1/2 of said Section 21; thence run along the South line of said North 1/2, North 87°52'39" East 518.91 feet; Thence South 01°11'28" East 191.65 feet; Thence South 59°38'53" East 252.01 feet to the POINT OF BEGINNING (Part I); Thence South 30°21'07" West 85.03 feet to a point herein after referred as Reference Point A; Thence North 88°25'37" East 100.15 feet; Thence North 30°21'03" East 32.07 feet; Thence North 59°38'53" West 85.00 feet to the POINT OF BEGINNING (Part I).

Containing 4,977 square feet, more or less.

TOGETHER WITH

PART II

COMMENCE at Reference Point A, thence South 88°25'37" West, a distance of 11.29 feet to a point on the Existing L/A R/W line of S.R. 862 / I-595 (as shown on F.D.O.T. R/W map for S.R. 862 / I-595, Section 86095-2405, Page 17, dated April 1983); Thence North 59°38'53" West along aforesaid Existing L/A R/W line, a distance of 90.42 feet to the POINT OF BEGINNING (Part II); Thence continue North 59°38'53" West along said Existing L/A R/W line, a distance of 154.81 feet to point on the Existing Easterly L/A R/W line of said S.R. 862 / I-595 (as shown on aforesaid F.D.O.T. R/W map for S.R. 862 / I-595, Section 86095-2405; Thence North Ol°II'28" West along said Existing Easterly L/A R/W line, a distance of 294.10 feet to a point herein after referred as Reference Point B: Thence North 88°48'32" East, a distance of 50.00 feet to a point on the Existing Easterly Drainage R/W line; Thence South OlºII'28" East along said Existing Easterly Drainage R/W line, a distance of 218.01 feet; Thence continue South 59°38'53" East along aforesaid Existing R/W line, a distance of 152.01 feet; Thence South 30°21'07" West, a distance of 91.00 feet to the POINT OF BEGINNING (Part II).

			-		FLOF	RIDA DEPARTME	ENT OF TRANSF	ORTAT	TON					
			-	PARCEL SKETCH - THIS IS NOT A SURVEY										
			STATE I	ROAD N	IO. 862 /	′ I-595			BROWARD COUNTY					
REVISE LABELS	BAIN	12/14/22			-	PREPARED BY:		SCALE:						
REV. SQ. FT. / ACRES	BAIN	10/28/22		BY	DATE	FDOT DISTRICT 4		N/A	FM No. 423305-6-32-01					
ADD LESS OUTS	BAIN	06/16/22	DRAWN	MJR	10/13/2021									
REVISION	BY	DATE	CHECKED	EEW	10/15/2021	F.P. NO. N/A	SECTION 8609	5-2405	CAM 235042497 6 OF 8 Exhibit 3					
									Page 9 of 18					

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EXHIBIT "A"

PART II CONTINUED

LESS PART IV

COMMENCE at Reference Point A, thence South 88°25'37" West, a distance of II.29 feet to a point on the Existing L/A R/W line of S.R. 862 / I-595 (as shown on F.D.O.T. R/W map for S.R. 862 / I-595, Section 86095-2405, Page I7, dated April 1983); Thence North 59°38'53" West along aforesaid Existing L/A R/W line, a distance of 245.23 feet; Thence continue North OI°II'28" West along said Existing L/A R/W line, a distance of 29.66 feet to the POINT OF BEGINNING (Part IV); Thence North 88°02'27" East, a distance of 24.00 feet; Thence South 01°II'28" East, a distance of 30.00 feet to the POINT OF BEGINNING (Part IV).

Containing 0.598 acres (26,044 square feet), more or less.

TOGETHER WITH

PART III

COMMENCE at Reference Point B, thence North OlºII'28" West along aforesaid Existing Easterly L/A R/W line, a distance of 83.42 feet to the POINT OF BEGINNING (Part III); Thence continue North OlºII'28" West along said Existing Easterly L/A R/W line, a distance of 355.99 feet to the beginning of a non-tangent curve concave Northwesterly, having a chord bearing of North 12°39'01" East; Thence Northeasterly along the said curve, having a radius of 1,452.39 feet, through a central angle of 12°55'48" and arc distance of 327.77 feet to the end of said curve; Thence South 83°48'52" East, a distance of 50.00 feet to a point on the aforesaid Existing Easterly Drainage R/W line, and a point on a non-tangent curve concave Northwesterly, having a chord bearing of South 12°28'42" West; Thence Southwesterly along the said curve and said Existing Easterly Drainage R/W line, having a radius of 1,502.39 feet, through a central angle of 12°35'09" and arc distance of 330.02 feet to the end of said curve; Thence continue South 01°11'28" East along said Existing Easterly Drainage R/W line, a distance of 347.11 feet; Thence South 88°48'32" West, a distance 50.00 feet to POINT OF BEGINNING (Part III). of

			FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL SKETCH - THIS IS NOT A SURVEY									
REVISE LABELS	BAIN	12/14/22	STATE I		10. 862 /				BROWARD COUNTY			
REV. SQ. FT. / ACRES	BAIN	10/28/22	-	BY	DATE	PREPARED BY:	PREPARED BY: SCALE: FDOT DISTRICT 4 N/A		FM No. 423305-6-32-01			
ADD LESS OUTS	BAIN	06/16/22	DRAWN	MJR	10/13/2021							
REVISION	BY	DATE	CHECKED	EEW	10/15/2021	F.P. NO. N/A	SECTION 8609	5-2405	CAM 23504442T 7 OF 8			
						•			Page 10 of 18			

EXHIBIT "A"

PART III CONTINUED

LESS PART V

COMMENCE at Reference Point B, thence North 01°11'28" West along aforesaid Existing Easterly L/A R/W line, a distance of 370.39 feet to the POINT OF BEGINNING (Part V); Thence South 83°57'35" East, a distance of 24.12 feet; thence North 01°11'28" West, a distance of 30.24 feet; Thence North 83°57'35" West, a distance of 24.12 feet; Thence South 01°11'28" East, a distance of 30.24 feet to POINT OF BEGINNING (Part V).

Containing 0.764 acres (33,298 square feet), more or less.

Said combined lands lying in the City of Fort Lauderdale, Broward County, Florida and containing a total of 1.477 acres (64,319 square feet), more or less.

I hereby certify that the sketch and legal description was prepared under my direction and that said sketch and legal description is in compliance with the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers, in Chapter 5J-17, Florida Administrative Code, Pursuant to Section 472.027, Florida Statutes.

Jeffrey D/

Florida Surveyor & Mapper No. 4805 Florida Department of Transportation

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

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							ENT OF TRANSF THIS IS NO		
REVISE LABELS	BAIN	12/14/22	STATE F	ROAD N	10. 862 /	I-595			BROWARD COUNTY
REV. SQ. FT. / ACRES	BAIN	10/28/22		BY	DATE	PREPARED BY: FDOT DISTRICT 4		SCALE: N/A	FM No. 423305-6-32-01
ADD LESS OUTS	BAIN	06/16/22	DRAWN	MJR	10/13/2021			IN/A	
REVISION *	BY	DATE	CHECKED	EEW	10/15/2021	F.P. NO. N/A	SECTION 8609	SHEET 8 OF 8	
									CAM 23-0249 Exhibit 3

Exhibit 3 Page 11 of 18

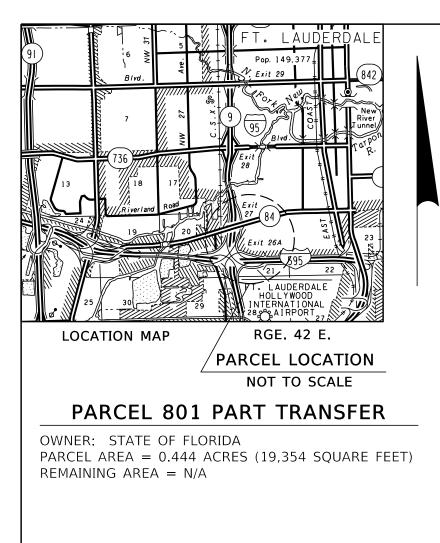


	exhibit "B"
LEGEND	<u>):</u>
Δ	= DELTA
₽Ę	= BASELINE OF SURVEY
Б.С.R.	= BROWARD COUNTY RECORDS
(C)	= CALCULATED
C.B.	= CHORD BEARING
COR.	= CORNER
D.C.R.	= MIAMI-DADE COUNTY RECORDS
EXIST.	= EXISTING
F.P.	= FINANCIAL PROJECT
L	= LENGTH
L/A	= LIMITED ACCESS
LB	= LICENSE BUSINESS
(M)	= MAP
(P)	= PLAT
P.B.	= PLAT BOOK
	= PAGE
P.O.B.	= POINT OF BEGINNING
P.O.C.	= POINT OF COMMENCEMENT
R	= RADIUS
REF.	= REFERENCE
R/W	= RIGHT OF WAY
RGE.	= RANGE
RT	= RIGHT
SEC.	= SECTION
S.R.	= STATE ROAD
STA.	= STATION
Т	= TANGENT
TWP.	= TOWNSHIP

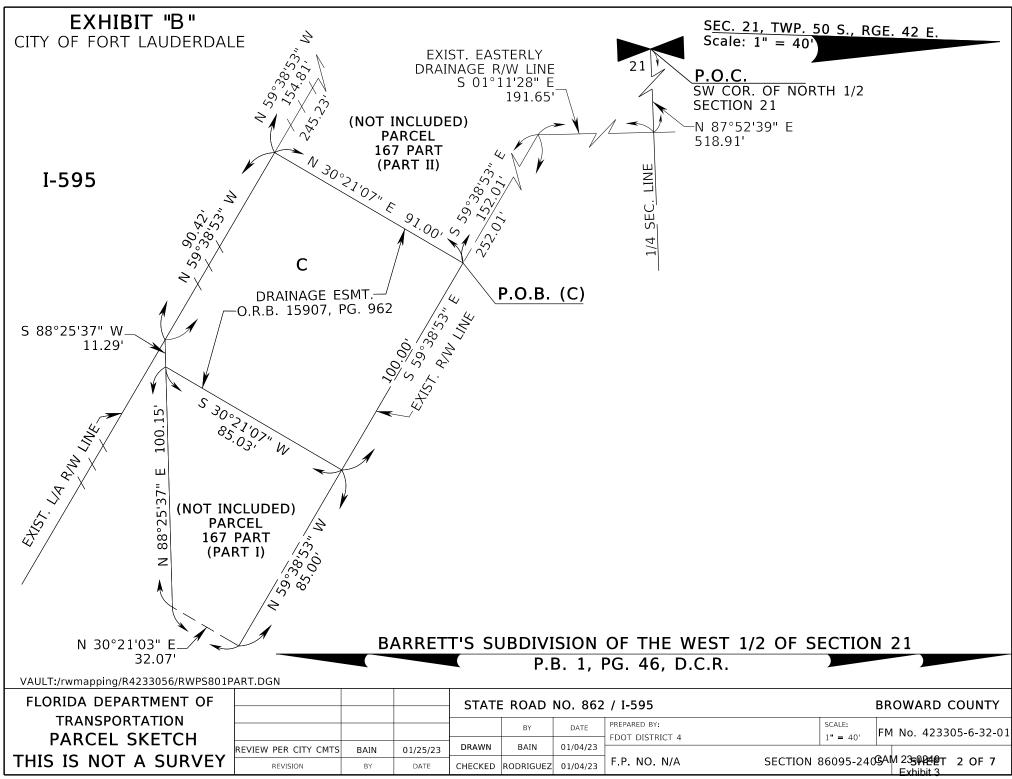
GENERAL NOTES:

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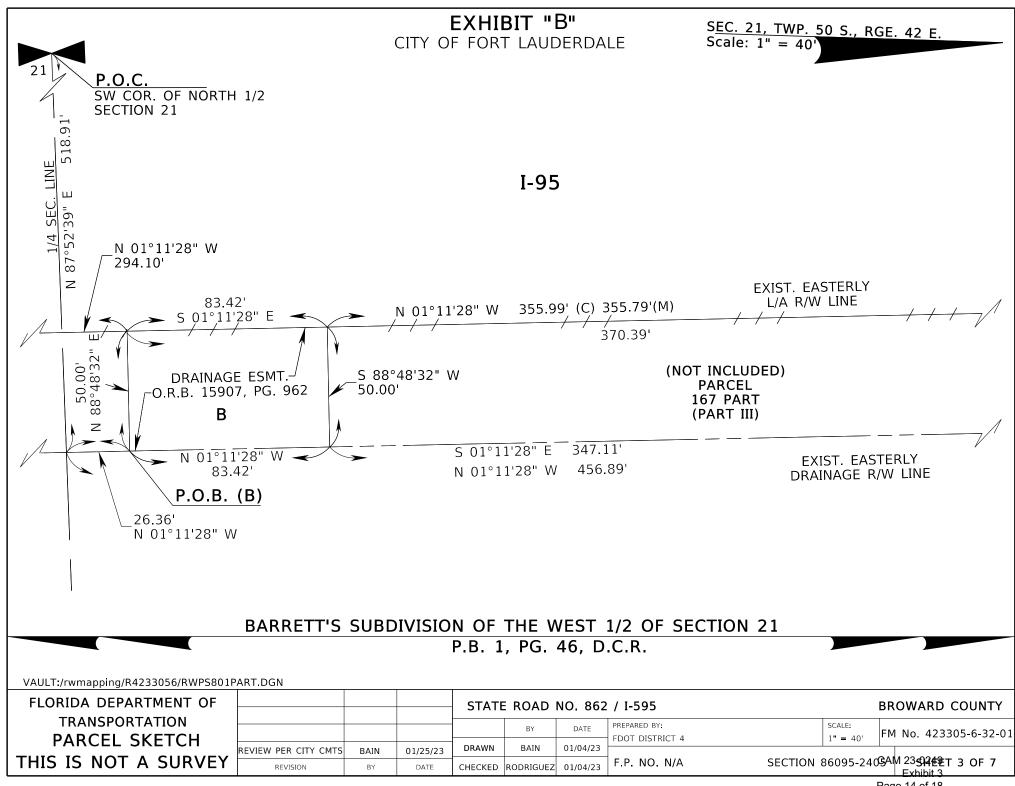
- BEARINGS AND COORDINATES SHOWN HEREON ARE RELATIVE TO THE STATE PLANE COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983/1990 ADJUSTMENT (NAD 83/90). A BEARING OF NORTH 01°11'28" WEST, HAS BEEN ESTABLISHED BASED ON THE EXISTING EASTERLY L/A R/W LINE OF S.R. 862 / I-595, AS SHOWN F.D.O.T. R/W MAP FOR S.R. 862 / I-595, SECTION 86095-2405, SHEET 17, DATED APRIL 1983. AS ON FILE AT DISTRICT IV SURVEYING AND MAPPING IN FORT LAUDERDALE, FLORIDA.
- 2. THE LEGAL DESCRIPTION FOR PARCEL 801 (PERPETUAL DRAINAGE EASEMENT) IS BASED ON OFFICIAL RECORD BOOK 15907, PAGE 969, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
- 3. ALL DIMENSIONS ARE BASED ON THE AFORESAID F.D.O.T. R/W MAP FOR S.R. 862 / I-595, UNLESS OTHERWISE NOTED.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 4-SURVEYING AND MAPPING 3400 WEST COMMERCIAL BOULEVARD FT. LAUDERDALE, FLORIDA 33309 (954) 777-4560

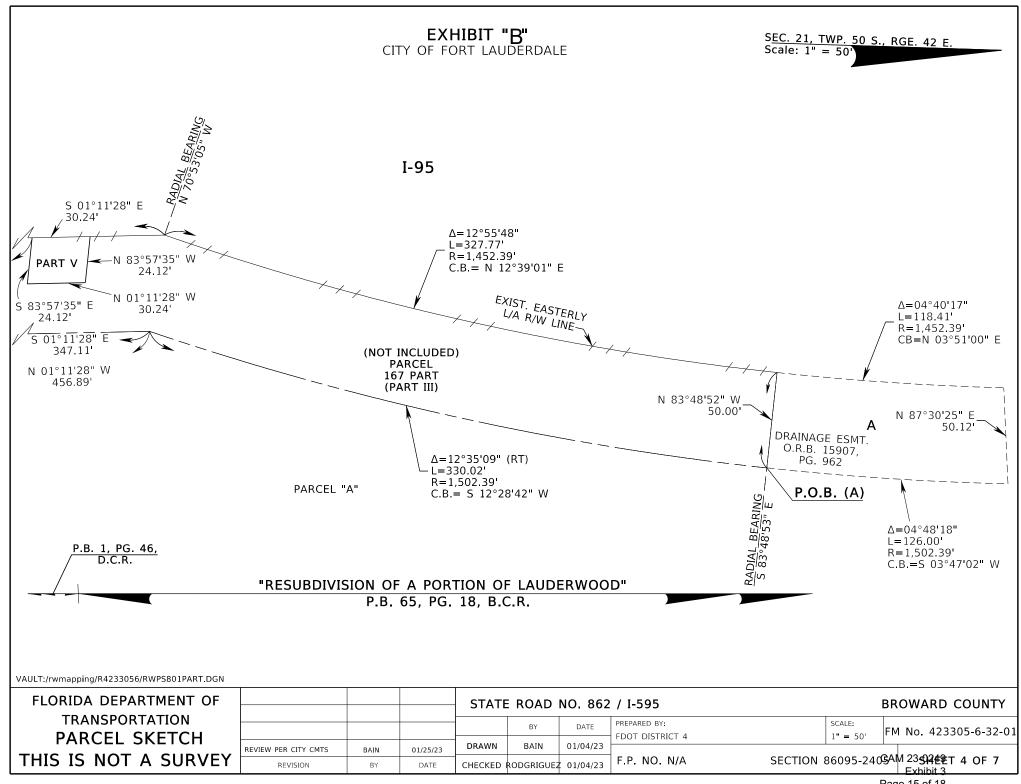
						RIDA DEPARTMENT			
			STATE	ROAD NO		BROWARD COUNTY			
				BY	DATE	PREPARED BY: FDOT DISTRICT 4		SCALE: N/A	FM No. 423305-6-32-01
REVIEW PER CITY CMTS	BAIN	01/25/23	DRAWN	BAIN	01/04/23	FDOT DISTRICT 4			
REVISION	BY	DATE	CHECKED	RODRIGUEZ	01/04/23	F.P. NO. N/A	SECTION 8	86095-240	3,AM 23 5,0,24€ T 1 OF 7 Exhibit 3
								F	Page 12 of 18



Page 13 of 18



Page 14 of 18



Page 15 of 18

EXHIBIT "B"

(A) A portion of Parcel A of the Resubdivision of a portion of Lauderwood per plat recorded in Plat Book 65, page 18 of the Public Records of Broward County, Florida and Tracts 8 and 9 and the unnumbered Tract between said Tracts 8 and 9 of F. A. Barrett's Subdivision of the West 1/2 of Section 21, Township 50 South, Range 42 East per plat recorded in Plat Book 1, page 46 of the Public Records of Dade County, Florida; being more particularly described as follows:

COMMENCE at the Southwest corner of the North 1/2 of said Section 21; Thence run along the South line of said North 1/2 of Section 21 North 87°52'39" East 518.91 feet; Thence North 01°11'28" West 456.89 feet along the Existing Easterly Drainage Right of Way line to the beginning of a non-tangent curve concave Northwesterly, having a chord bearing of South 12°28'42" West; Thence Northeasterly along the said curve and said Existing Easterly Drainage R/W line, having a radius of 1,502.39 feet, through a central angle of 12°35'09" and arc distance of 330.02 feet to the end of said curve and to the POINT OF BEGINNING; Thence North 83°48'52" West, 50.00 feet to the beginning of a curve concave Westerly, having a chord bearing of North 03°51'00" East; Thence Northeasterly along the said curve, having a radius of 1,452.39 feet through a central angle of 04°40'17" and arc distance of 118.41 feet to the end of said curve; Thence North 87°30'25" East, 50.12 feet to the beginning of a curve concave Westerly along the said curve, having a radius of 1502.39 feet through a central angle of 04°40'17" and arc distance of 118.41 feet to the end of said curve; Thence North 87°30'25" East, 50.12 feet to the beginning of a curve concave Westerly, having a chord bearing a radius of 1502.39 feet through a central angle of 04°48'18" and arc distance of 126.00 feet to the end of said curve and to the POINT OF BEGINNING.

Containing 6,110 square feet, more or less.

TOGETHER WITH

(continued on page 3)

VAULT:/rwmapping	-			FLORIDA DEPARTMENT OF TRANSPORTATION										
					LEGA	L DESCRIPTION	- NOT A	۶URV	EY					
			STATE	ROAD NO	D. 862 /	′ I-595		BROWARD COUNTY						
				BY	DATE	PREPARED BY: FDOT DISTRICT 4		SCALE: N/A	FM No. 423305-6-32-01					
REVIEW PER CITY CMTS	BAIN	01/25/23	DRAWN	BAIN	01/04/23									
REVISION	BY	DATE	CHECKED	RODRIGUEZ	01/04/23	F.P. NO. N/A	SECTION	86095-240	GAM 235000000000000000000000000000000000000					

EXHIBIT "B"

(B) A portion of Parcel A of the Resubdivision of a portion of Lauderwood per plat recorded in Plat Book 65, page 18 of the Public Records of Broward County, Florida and Tracts 8 and 9 and the unnumbered Tract between said Tracts 8 and 9 of F. A. Barrett's Subdivision of the West 1/2 of Section 21, Township 50 South, Range 42 East per plat recorded in Plat Book 1, page 46 of the Public Records of Dade County, Florida; being more particularly described as follows:

COMMENCE at the Southwest corner of the North 1/2 of said Section 21; Thence run along the South line of said North 1/2 of Section 21 North 87°52'39" East 518.91 feet; Thence North 01°11'28" West 26.36 feet to the POINT OF BEGINNING; Thence continue North 01°11'28" West 83.42 feet; Thence South 88°48'32" West 50.00 feet; Thence South 01°11'28" East 83.42 feet; Thence North 88°48'32" East 50.00 feet to the POINT OF BEGINNING.

Containing 4,171 square feet, more or less.

(C) A portion of Parcel A of the Resubdivision of a portion of Lauderwood per plat recorded in Plat Book 65, page 18 of the Public Records of Broward County, Florida and Tracts 8 and 9 and the unnumbered Tract between said Tracts 8 and 9 of F. A. Barrett's Subdivision of the West 1/2 of Section 21, Township 50 South, Range 42 East per plat recorded in Plat Book 1, page 46 of the Public Records of Dade County, Florida; being more particularly described as follows:

COMMENCE at the Southwest corner of the North 1/2 of said Section 21; Thence run along the South line of said North 1/2 of Section 21 North 87°52'39" East 518.91 feet; Thence South 01°11'28" East 191.65 feet; Thence South 59°38'53" East 152.01 feet to the POINT OF BEGINNING; Thence continue South 59°38'53" East 100.00 feet; Thence South 30°21'07" West 85.03 feet; Thence South 88°25'37" West 11.29 feet; Thence North 59°38'53" West 90.42 feet; Thence North 30°21'07" East 91.00 feet to the POINT OF BEGINNING.

Containing 9,073 square feet, more or less.

(continued on page 4)

VAULT:/rwmapping/R4233056/RWPS801PART.DGN FLORIDA DEPARTMENT OF TRANSPORTATION LEGAL DESCRIPTION - NOT A SURVEY STATE ROAD NO. 862 / I-595 **BROWARD COUNTY** PREPARED BY: SCALE: ΒY DATE FM No. 423305-6-32-01 FDOT DISTRICT 4 N/A DRAWN BAIN 01/04/23 REVIEW PER CITY CMTS BAIN 01/25/23 SECTION 86095-2409AM 2359PH2 6 OF 7 F.P. NO. N/A REVISION ΒY DATE CHECKED RODRIGUEZ 01/04/23 Exhibit 3 Page 17 of 18

EXHIBIT "B"

Said combined lands lying in the City of Fort Lauderdale, Broward County, Florida and containing a total of 0.444 acres (19,354 square feet), more or less.

I hereby certify that the sketch and legal description was prepared under my direction and that said sketch and legal description is in compliance with the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers, in Chapter 5J-17, Florida Administrative Code, Pursuant to Section 472.027, Florida Statutes.

effrey D. Smith

Florida Surveyor & Mapper No. 4805 Florida Department of Transportation

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

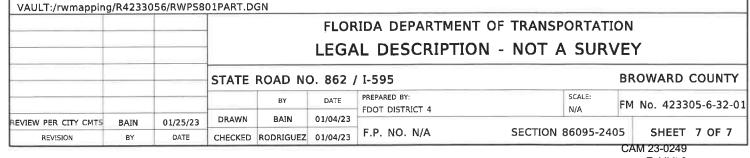


Exhibit 3 Page 18 of 18