

MINUTES OF RECORDS OF THE PROCEEDINGS OF THE COUNTY COMMISSIONERS
OF DADE COUNTY, FLORIDA, Minute Book F. Page 472.

Miami, Florida, April 4, 1917.
9:00 O'clock, A.M.

The Board of County Commissioners met at their office in the Court House and pursuant to adjournment were called to order by Chairman E.D.V. Burr, with the following commissioners present: Smith, Rice, Lee, Twedell and Deputy Clerk W.E. Horton. Captain J.F. Jaudon, addressed the Board in regard to the Tamiami Trail lands and presented a resolution granting an easement along the Right of Way of the Tamiami Trail road to be used as a Right of Way for steam or other power driven railways. After considerable discussion and a conference with the County Attorney for the Board, Commissioner R.H. Rice offered the following resolution and moved its adoption, which was duly seconded and carried, provided there were no legal objections.

WHEREAS, on the 4th. day of January, A.D. 1916, the Board of County Commissioners of Dade County had before them a petition asking that a road be declared public, from the NW. Corner of the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$. Sec. 11, TP. 54 S. R. 40 E. thence West to N.W. Corner of Sec. 7. Township 54 S., R. 37 E. thence north-westerly to N.W. Corner of Section 19, Twp. 53 S. R. 35 E. and

WHEREAS, Frank H. Wharton and West D. Archer and Z.T. Merritt were appointed viewers of said road and upon their report, made to the Board of County Commissioners of Dade County, Florida, on the 1st. day of February A.D. 1916, it was recommended by said viewers that the said road be declared public, to a width of one hundred (100) feet, and that all other legal steps have been complied with. And

WHEREAS, Special Road and Bridge Tax District No. 2 (Dade County) was created and a roadway is now being constructed, called the Tamiami Trail on the southern part of this Right of Way--said road way, with its berms, consuming Thirty-four (34) feet of said Right of Way and a canal or ditch has been excavated paralleling said road on the north side of same, to a width of Twenty (20) feet; thus consuming Fifty-four (54) feet of the said Right of Way, leaving a strip on the North side of said Right of Way Forty-six (46) feet wide. And

WHEREAS, J.F. Jaudon, as Trustee for a Corporation to be hereafter formed, by name the Tamiami Trail Corporation, has applied to the Board of County Commissioners for a perpetual easement or Right of Way over the said Forty-six (46) feet for the entire length of said Right of Way, for the purpose of constructing thereon a steam or other power driven railway, together with such side tracks as may be necessary. And

to

WHEREAS, it will be the best interest of Dade County that said railway be constructed by reason of the fact that the construction of same will furnish transportation to the owners of land adjacent thereto and create a cross-state transportation line and the further benefit that by reason of the construction of the road bed for said Railway, the Tamiami Trail Canal will be deepened and widened by reason of the removal of the earth and rock for the purpose of constructing a road bed.

THEREFORE BE IT RESOLVED by us, the Board of County Commissioners of Dade County, Florida, that for and in consideration of the benefits to be derived as set forth in the above preamble, that we give, release, demise and convey to the said J.F. Jaudon, as Trustee for the Tamiami Trail Corporation, to be hereafter formed, the perpetual use and easement of the said Forty-six (46) feet of Right of Way, for the purpose of building thereon a steam or other power driven railway, together with such side tracks and docks as

as may be necessary; and for the further purpose of erecting and constructing telegraphs and telephone lines.

PROVIDED, that the said J.F. Jaudon, acting as Trustee for the Tamiami Trail Corporation, and the Tamiami Trail Corporation when formed by law, shall, within a period of two years, from date hereto erect and construct on said right of way at least ten miles of the road bed and place thereon the necessary ties, rails and equipment for operating said railway, and that within a period of five (5) years, that the said Tamiami Trail Corporation shall have completed its roadbed and tract over and across at least ninety percent of said Right of Way. and

PROVIDED further, that Dade County reserves for itself the free use of such crossings as may be declared county roads or public Highways. And

PROVIDED, further, that Dade County reserves to itself the free and unrestricted use for the public, the canal excavated (excepting such part as may be used by the Tamiami Trail Corporation) for the erection of Docks and Warehouses etc) to be used in connection with said railway.

PROVIDED, further, that in the construction of any bridge or bridges across the Tamiami Trail Canal by the said Tamiami Trail Corporation, that same will have a clearance of four feet above low water line, and that an opening will be left of at least twenty feet in width.

PROVIDED FURTHER, that J.F. Jaudon, as Trustee for the Tamiami Trail Corporation, in constructing said railway and making excavation for the Tamiami Trail Canal will provided all necessary culverts for the free flow of water which might occur and that the canal excavation will be a minimum depth of eight feet above surface.

PROVIDED, That all canal banks on lines, depth of canals and construction of culverts will be under the supervision and approval of the Engineer of Dade County.

PROVIDED Always that J.F. Jaudon, for the Tamiami Trail Corporation of such other firms or corporation as may secure or acquire this easement, will protect Dade County from all legal proceedings, suits or claims, set up by any individual or corporation pertaining to this easement.

PROVIDED, that the easement of this property, as set forth herein, will not in any wise effect the assessment and collection of Dade County and the State of Florida of taxes on a just and uniform valuation of like railroad property in Florida, as provided for by the constitution and laws of the State of Florida.

IN WITNESS WHEREOF, we, the Board of County Commissioners of Dade County, Florida, have hereunto set the seal of the Board of County Commissioners of Dade County, Florida and signed our names, thereto, on this the _____ day of _____ A.D. 1917.

 Chairman Board of County Commissioners
 of Dade County, Florida.

SEAL

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 -----) Commissioners.
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ATTEST

 Clerk Board of County Commissioners
 of Dade County, Florida.