



## MEMORANDUM

Agenda Item No. 7(P)(1)(C)

---

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners      DATE: September 23, 2003

FROM: George M. Burgess  
County Manager      SUBJECT: Resolution Authorizing Execution of a Miami-Dade County Disclaimer for Various Right-of-Way reservations in Sections 3 and 10, Township 54 South, Range 39 East

---

### RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing execution of a Miami-Dade County disclaimer for various right-of-way reservations located on portions of Sections 3 and 10, Township 54 South, Range 39 East.

### BACKGROUND

#### Reservations to be disclaimed

The present property owners are required by the Public Works Department (PWD) to extinguish the subject reservations prior to PWD approving the Final Plat applications submitted to the County by said property owner, as such, the present property owners have requested that said reservations be disclaimed. The subject reservations, although recorded, were never accepted by Miami-Dade County and are not needed by the County. Access in the area is being provided by right-of-way dedications in said Final Plats, including the two section line roads (SW 10 Street and SW 147 Avenue). A location map and legal description are attached as Exhibit "A" and "B" and incorporated herein.

#### Departmental Approval

These reservations are not needed by Miami-Dade County; therefore, the Public Works Department recommends disclaiming the subject reservations.

---

Assistant County Manager  
*Pedro G. Hernandez*



# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** September 23, 2003

**FROM:**   
Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 7(P)(1)(C)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 7(P)(1)(C)  
9-23-03

Veto \_\_\_\_\_

Override \_\_\_\_\_

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

RESOLUTION AUTHORIZING THE EXECUTION OF A MIAMI-DADE COUNTY DISCLAIMER FOR VARIOUS RIGHT-OF-WAY RESERVATIONS LOCATED ON PORTIONS OF SECTIONS 3 AND 10 TOWNSHIP 54 SOUTH, RANGE 39 EAST, IN MIAMI-DADE COUNTY

**WHEREAS,** this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that this board approves and authorizes the execution of the attached Miami-Dade County Disclaimer in substantially the form attached hereto and made a part hereof; authorizes the Mayor to execute same for and on behalf of Miami-Dade County; and authorizes the Director of the Public Works Department to cause said Miami-Dade County Disclaimer to be recorded among the Public Records of Miami-Dade County, Florida.



Return to:  
 Right of Way Division .  
 Miami-Dade County Public Works Dept. .  
 111 N.W. 1st Street .  
 Miami, FL 33128-1970 .  
 .  
 Instrument prepared by: .  
 Luis F. Lacau Jr., P.L.S. .  
 Right of Way Division . Sections 3 & 10-54-39

---

**MIAMI-DADE COUNTY, FLORIDA, DISCLAIMER**

STATE OF FLORIDA )  
 COUNTY OF MIAMI-DADE )

**KNOW ALL MEN BY THESE PRESENTS** that **MIAMI-DADE COUNTY**, a Political Subdivision of the State of Florida, whose Post Office address is 111 N.W. 1st Street, Miami, Florida 33128-1970, does hereby give notice that it disclaims certain rights, title and interests which said **MIAMI-DADE COUNTY** has in the following described lands lying and being in Miami-Dade County, to wit:

See **EXHIBITS "A" & "B"** attached hereto and made a part hereof.

**WHEREAS**, **BRISTOL PARK AT CORAL WAY INC.**, a Florida corporation, created various right-of-way reservations in a Warranty Deed dated October 16, 2002, and recorded in Official Record Book 20732, at Page 3803, and **CONCEPTION LIMITED PARTNERSHIP**, a Florida Limited Liability Partnership created various right-of-way reservations in Warranty Deed Dated June 7, 2002, and recorded in Official Records Book 20454, Page 2070 of the Public Records of Miami-Dade County, Florida; and

**WHEREAS**, the above described reservations were never accepted by Miami-Dade County and are not needed by **MIAMI-DADE COUNTY** for access purposes; and

**WHEREAS**, the present property owner is required by the Public works Department to extinguish said reservations as a condition for Plat approval:

**NOW, THEREFORE, MIAMI-DADE COUNTY DOES HEREBY DISCLAIM** any interest it has in the above-described lands by virtue of said reservations as shown on Warranty Deed dated October 16, 2002, and recorded in Official Record Book 20732, at Page 3803, and Warranty Deed Dated June 7, 2002, and recorded in Official Records Book 20454, at Page 2070 of the Public Records of Miami-Dade County, Florida.

IN WITNESS WHEREOF MIAMI-DADE COUNTY, FLORIDA, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor and the Clerk or Deputy Clerk of said Board on this

\_\_\_\_\_ Day of \_\_\_\_\_, A.D. 2003.

ATTEST:

MIAMI-DADE COUNTY, FLORIDA  
BY IT'S BOARD OF  
COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mayor

Print: \_\_\_\_\_

Print: Alex Penelas

Address: 111 N.W. 1st Street  
Miami-Dade Center  
Miami, Florida 33128

The foregoing was authorized and approved on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2003, by Resolution No. **R-** \_\_\_\_\_ the Board of County Commissioners of Miami-Dade County, Florida.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

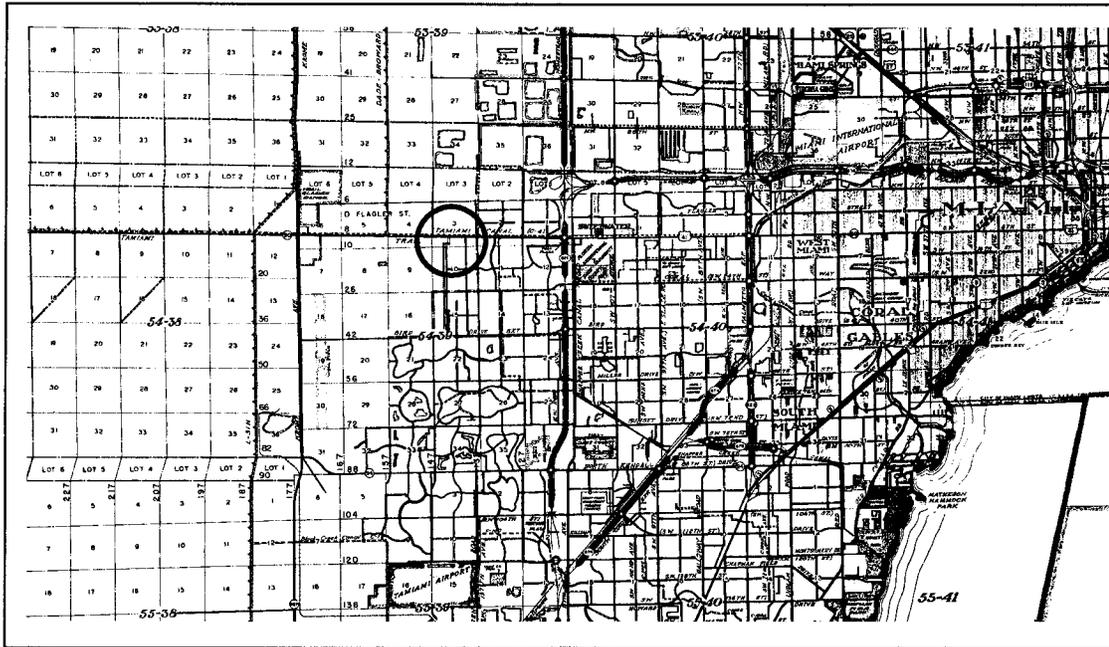
NOTARY PUBLIC

Sign: \_\_\_\_\_

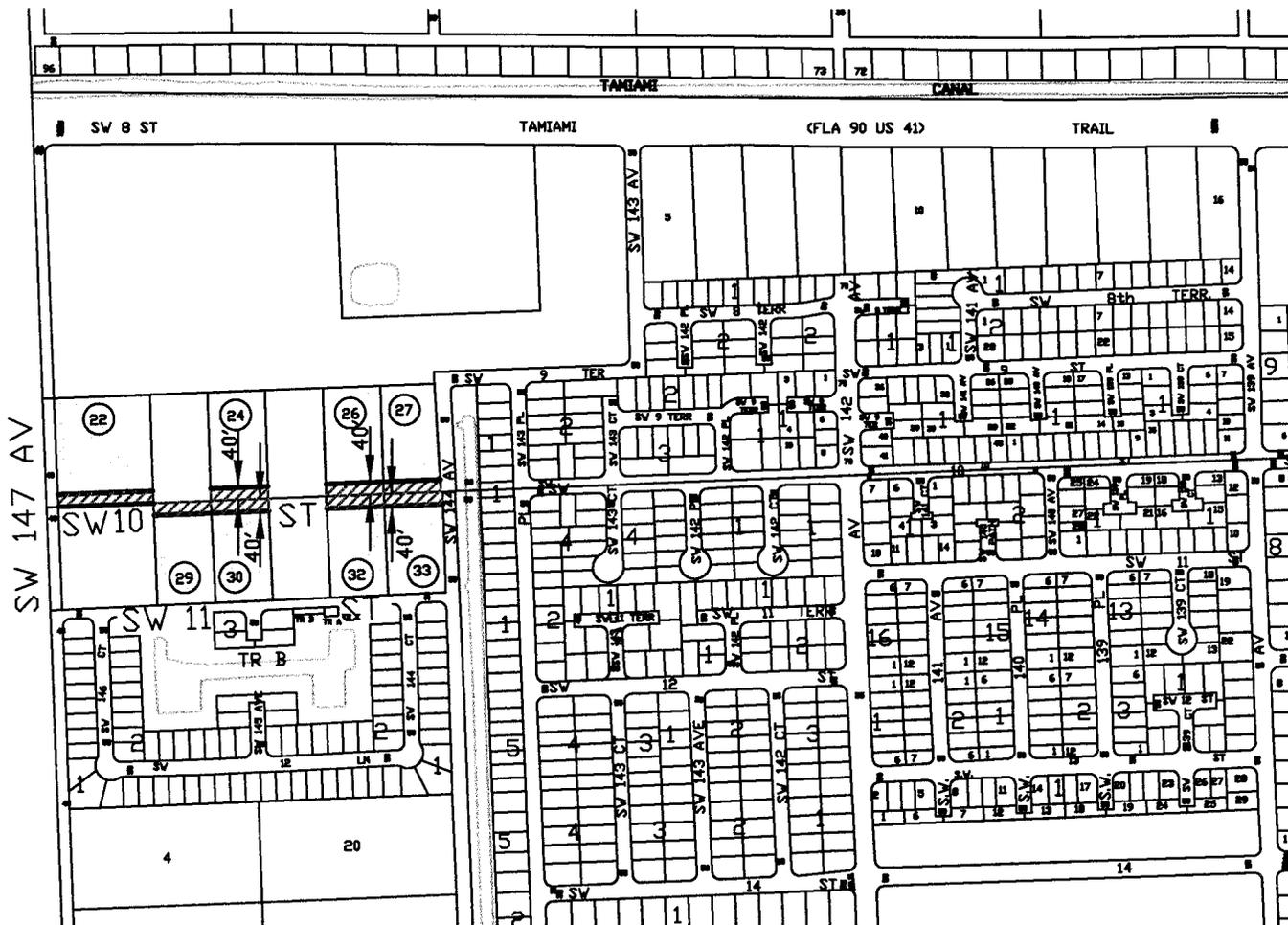
Print: \_\_\_\_\_  
STATE OF FLORIDA at large

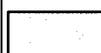
My commission expires: \_\_\_\_\_

SEC 3 & 10  
 TWP 54S  
 RGE 39E



Not to Scale



-  Parcels
-  40' WIDE RESERVATION
-  PARCEL NUMBER

**EXHIBIT "A"**

NOT A SURVEY  
 SCALE 1"=600'

λ

**Exhibit "B"**

**LEGAL DESCRIPTION  
OF RESERVATIONS TO BE DISCLAIMED**

Portions of the Plat of "**Business Section J.G. Heads's Farms**" according to the Plat thereof, as recorded in Plat Book 46, Page 46 of the Public Records of Miami-Dade County, Florida, and being more particularly described as follows:

Parcel 22:

The South 40.00 feet of all that portion of the South 355.00 feet of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3, Township 54 South, Range 39 East, less the East 965.00 feet.

**AND**

Parcel 24:

The South 40.00 feet of the West 188.00 feet of the East 777.00 feet of the South 355.00 feet of the SW  $\frac{1}{4}$  of Section 3, Township 54 South, Range 39 East.

**AND**

Parcel 26:

The South 40.00 feet of the West 188.00 feet of the East 401.00 feet of the South 355.00 feet of the SW  $\frac{1}{4}$ , of the SW  $\frac{1}{4}$  of Section 3, Township 54 South, Range 39 East.

**AND**

Parcel 27:

The South 40.00 feet of the East 213.00 feet of the South 355.00 feet of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3, Township 54 South, Range 39 East.

**AND**

Parcel 29:

The North 40.00 feet of the West 188.00 feet of the East 965.00 feet of the North  $\frac{1}{2}$  of the North  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 10, Township 54 South, Range 39 East.

**AND**

Parcel 30:

The North 40.00 feet of the West 188.00 feet of the East 777.00 feet of the North  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 10, Township 54 South, Range 39 East.

**AND**

Parcel 32:

The North 40.00 feet of the West 188.00 feet of the East 401.00 feet of the North  $\frac{1}{2}$  of the North  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 10, Township 54 South, Range 39 East.

**AND**

Parcel 33:

The North 40.00 feet of the East 213.00 feet of the North  $\frac{1}{2}$  of the North  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 10, Township 54 South, Range 39 East, all of the above lying and being in Miami-Dade County Florida.