

Date: July 10, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager



Subject: Road Closing Petition P-841
Section: 27-56-39
Parker Avenue, from Henderson Street Northeasterly for Approximately 175 feet
Commission District: 9

Agenda Item No. 5(I)

Recommendation

It is recommended that the Board of County Commissioners (BCC) grant the attached Road Closing Petition following a public hearing. The Miami-Dade County Departments of Planning and Zoning, Public Works, Water and Sewer and Fire Rescue have no objection to this right-of-way being closed.

Scope

Not Applicable.

Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the adjacent property to this right-of-way at \$6.00 per square foot. Therefore, the estimated value of the right-of-way being closed would be approximately \$54,108. If this right-of-way is closed and vacated, the land will be placed on the tax roll, generating an estimated \$1,123 per year in additional property taxes. This petition was filed after October 1, 2004, when the BCC approved the resolution which amended Administrative Order 4-114 by creating the two tier fee system for Road Closing Petitions. Therefore, the total fee for this road closing is \$6,210.80, instead of \$750.00 which would have been the fee under the previous AO4-114 rules.

Track Record/Monitor

Not Applicable.

Background

The Petitioners, Eduardo García and Taku Inc., wish to close Parker Avenue, from Henderson Street northeasterly for approximately 175 feet, in order to incorporate it to their properties to be enhanced and maintained. The right-of-way requested to be closed has never been improved nor maintained by Miami-Dade County.

The subject right-of-way was dedicated in 1925, by the plat of "NARANJA TERRACE", as recorded in Plat Book 21, Page 13, of the Public Records of Miami-Dade County, Florida. Said plat contains a reverter clause which stipulates that the right-of-way reverts to the current owner of the abutting property when its use as a public right-of-way is lawfully and permanently discontinued. The area surrounding the subject right-of-way is zoned NCUC (Naranja Community Urban Center).



Assistant County Manager

Note: The Clerk is directed to publish notice of a public hearing on a Road Closing Petition in a newspaper of general circulation in Miami-Dade County, one (1) time, at least two (2) weeks prior to the date of said public hearing in conformity with the statutory requirements.

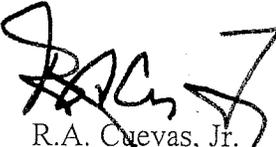


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: July 10, 2007

FROM: 
R.A. Cuevas, Jr.
Acting County Attorney

SUBJECT: Agenda Item No. 5(I)

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. 5(I)

Veto _____

07-10-07

Override _____

RESOLUTION NO. _____

RESOLUTION GRANTING PETITION TO CLOSE
PARKER AVENUE, FROM HENDERSON STREET
NORTHEASTERLY FOR APPROXIMATELY 175 FEET
(ROAD CLOSING PETITION NO. P-841)

WHEREAS, the County Commission held a public hearing to consider a petition to close Parker Avenue, from Henderson Street northeasterly for approximately 175 feet, as outlined in the accompanying petition and 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, (1) that the alleyway, street, road, highway or other place used for travel as described in the attached petition is hereby vacated, abandoned and closed, all rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed; (2) it is found that the action will serve a public purpose and benefit the public without violating private property rights; (3) that the procedure utilized in the adoption of this resolution is expressly ratified and approved; and (4) the Clerk is hereby directed to publish notice of the adoption of this resolution one time within thirty (30) days hereafter in a newspaper of general circulation of Miami-Dade County.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this
10th day of July, 2007. This resolution shall become effective ten (10) days after the date
of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon
an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

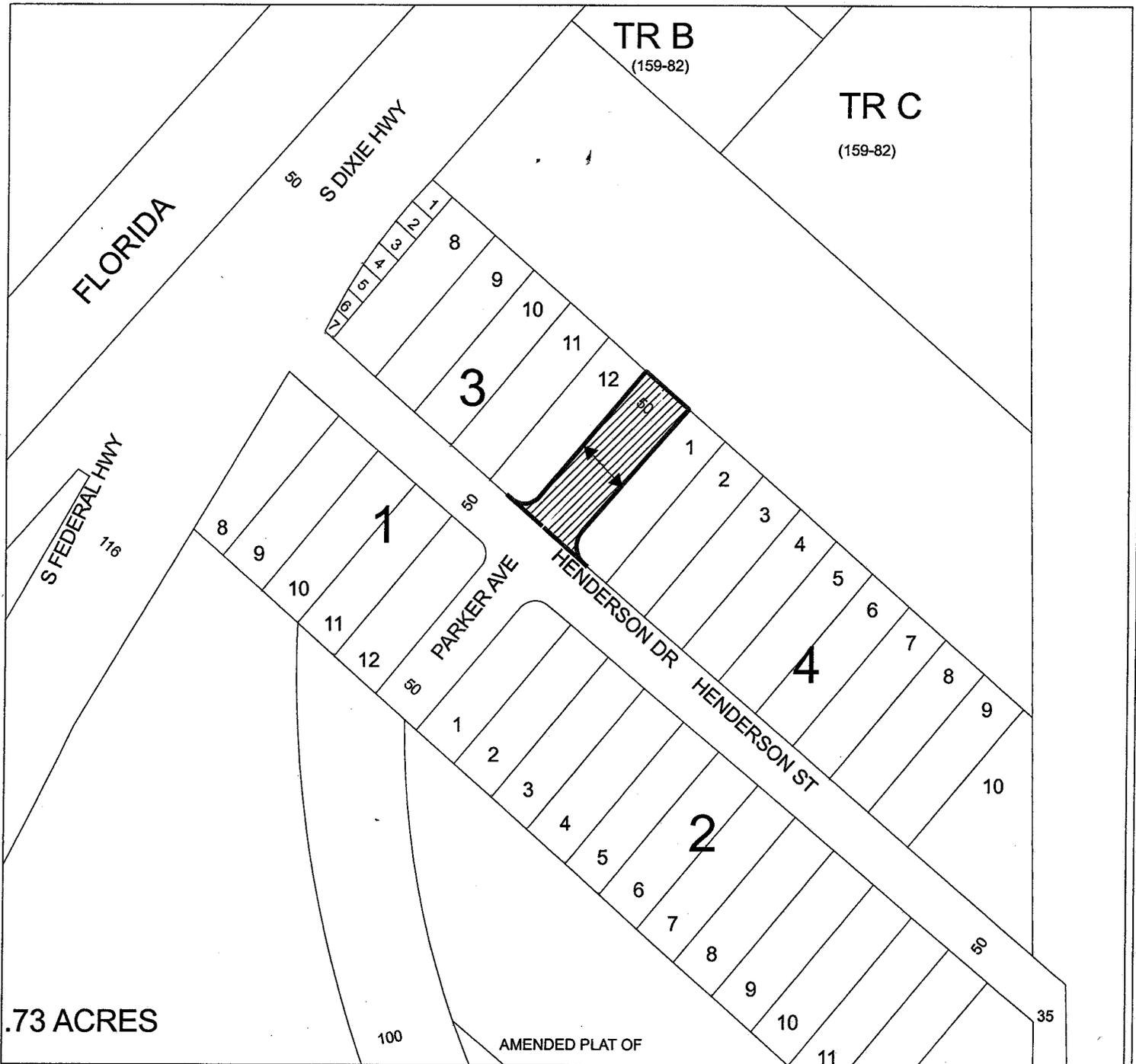
By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. _____

Thomas Goldstein

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SECTION 27 TOWNSHIP 56 RANGE 39



Legend

- Lot Lines
- SDixieHwy & Henderson Dr

P-841

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NORTH
Yazmin Moreno
Senior Cadastral Technician
January 24, 2007

PETITION TO CLOSE ROAD

TO: Board of County Commissioners
Miami-Dade County, Florida

The undersigned, pursuant to Sections 336.09 – 336.12 Florida Statutes, hereby petitions the Board of County Commissioners to vacate, abandon, discontinue and close an existing public or private street, alleyway, road, highway, or other place used for travel, or a portion thereof, and to renounce and disclaim any right of the County and the public in and to any land in connection therewith; or to renounce and disclaim any right of County and the public in and to certain land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes; or to renounce and disclaim any right of the County and the public in and to certain land delineated on recorded map or plat as a street, alleyway, road or highway.

The undersigned hereby certify:

1. LEGAL DESCRIPTION: The complete and accurate legal description of the road, right-of-way or land sought to be closed is as follows:

That portion of Right-of-Way for Parker Avenue, as shown on the plat of “NARANJA TERRACE”, recorded in Plat Book 21, Page 13, of the Public Records of Miami-Dade County, Florida, lying northeasterly of the northeasterly Right-of-Way line of Henderson Street.

2. PUBLIC INTEREST IN ROAD: The title or interest of the county and the Public in and to the above described road, right-of-way or land was acquired and is evidenced in the following manner (state whether public interest acquired by deed, dedication or prescription and set forth where deed or plat is recorded in public records):

3. ATTACH SURVEY SKETCH: Attached hereto is a survey or location sketch accurately showing and describing the above described road, right-of-way or land and its location and relation to surrounding property, and showing all encroachments and utility easements.

4. ABUTTING PROPERTY OWNERS: the following constitutes a complete and accurate schedule of all owners of property abutting upon or adjacent to the above described road, right-of-way. These firms or individuals have been advised in writing of the proposed closure.

PRINT NAME	FOLIO NO.	ADDRESS
GE investment Group	Eduardo Garcia	30-69-27-004-0160 14281 Hendersen ST 7159 SW 80 ST Miami
JACKI TAKO TACKU INC	30-69-27-004-0110	12455 KEYSTONE ISLD, DR NORTH MIAMI FL, 33181
Alben to toll	30-69-27-004-0260	26115 S. DIXIE HWY HOMESTEAD FL 33032

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5. ACCESS TO OTHER PROPERTY: The undersigned certify that in the event this petition is granted no other property owners will be prevented from access to and from their property and no other property owners in the vicinity will be adversely affected.

6. GROUNDS FOR REQUESTING PETITION AND PROPOSED USE FOR THE LAND BY THIS REQUEST: The undersigned submits as a grounds and reasons in support of this petition the following (state in detail, why petition should be granted):

Parker Avenue is now at this moment an illegal dump site. This road is a dead end road surrounded by two properties in each side and another property in the back, this road is used as an illegal dump site (construction materials, tires, car parts). The Adjoined owners in cooperation with team-Metro are constantly cleaning the site. If the petition is granted we will maintain the site clean and free of debris until we eventually develop the site.

Signatures of all abutting property owners:

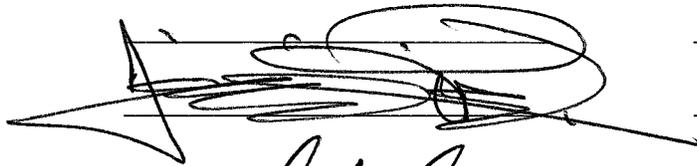
Respectfully submitted,

SIGNATURE



ADDRESS

7159 SW 8051
MIAMI FL 33143.

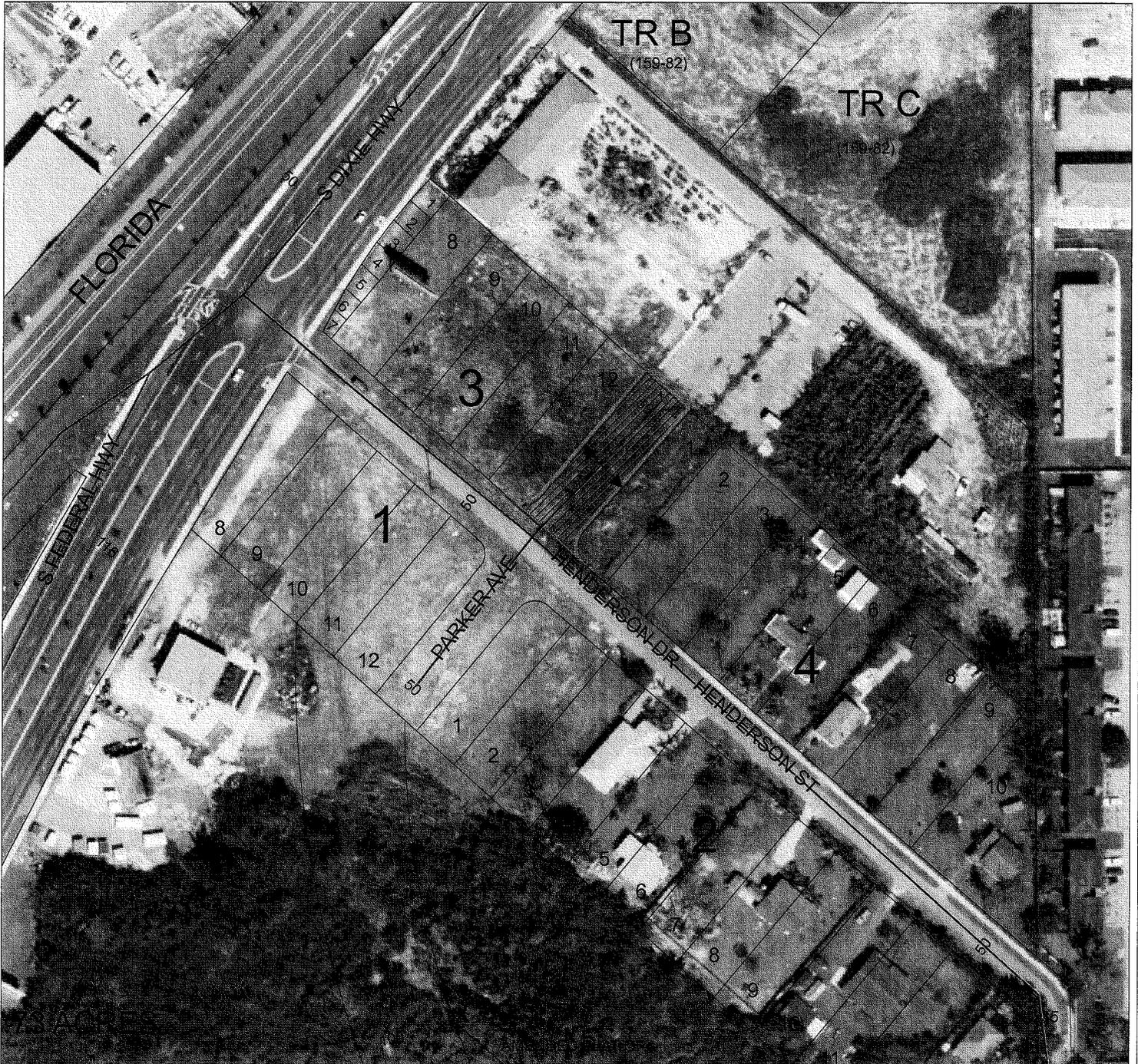


12455 KEYSTONE ISLAND DR.
NORTH MIAMI FL. 33181



26115 S. DIXIE HWY
HOMESTEAD FL 33032.

SECTION 27 TOWNSHIP 56 RANGE 39



Legend

-  Road Closing
-  Lot Lines

P-841