

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-845
Section: 9-55-39

All Roads from the Center Line of SW 152 Avenue West to the East Right-of-Way Line of C-1W Canal and from SW 120 Street to SW 116 Street, Lying Within the Plat of "GREATER MIAMI ESTATES PART ONE", Recorded in Plat Book 23, Page 43, of the Public Records of Miami-Dade County, Florida, that Abut Blocks 48 to 57, the South ½ of Block 69, and Blocks 70 to 76, All Inclusive
Commission District: 11

Agenda Item No. 5(G)

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 these rights-of-way being closed.

Scope

This item is located within Commission District 11

Fiscal Impact/Funding Source

This petition was filed after October 1, 2004, when the County Commission 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 \$800, instead of \$750.00 which would have been the fee under the previous A04-114 rules.

Track Record/Monitor

Not Applicable

Background

The Petitioner, Century Business Park, LLC, wishes to close all the rights-of-way from the center line of SW 152 Avenue West to the East right-of-way line of C-1W Canal and from SW 120 Street to SW 116 Street, lying within the plat of "GREATER MIAMI ESTATES PART ONE", as recorded in Plat Book 23, Page 43, of the Public Records of Miami-Dade County, Florida, that abut Blocks 48 to 57, the South ½ of Block 69, and Blocks 70 to 76, all inclusive, in order to incorporate the areas into the proposed plat of "CENTURY GARDENS AT TAMIAMI", Tentative Plat Number T-22648. The rights-of-way requested to be closed have never been improved nor maintained by Miami-Dade County. Alternate roads for traffic continuity provided within said proposed plat will replace the roads being closed.

The subject rights-of-way were dedicated in 1926, by the plat of "GREATER MIAMI ESTATES PART ONE", as recorded in Plat Book 23, Page 43, of the Public Records of Miami-Dade County, Florida. The plat contains a reverter clause which stipulate that the rights-of-way revert to the current property owners of the abutting properties when their uses as public rights-of-way are lawfully and permanently discontinued. The area surrounding the subject rights-of-way are zoned BU-1A (Limited Business District), RU-1MB (Modified Single Family District) and RU-3M (Minimum Apartment House District).


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(G)

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(G)

Veto _____

07-10-07

Override _____

RESOLUTION NO. _____

RESOLUTION GRANTING PETITION TO CLOSE ALL ROADS FROM THE CENTER LINE OF SW 152 AVENUE WEST TO THE EAST RIGHT-OF-WAY LINE OF C-1W CANAL AND FROM SW 120 STREET TO SW 116 STREET, LYING WITHIN THE PLAT OF GREATER MIAMI ESTATES PART ONE, RECORDED IN PLAT BOOK 23, PAGE 43, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, THAT ABUT BLOCKS 48 TO 57, THE SOUTH 1/2 OF BLOCK 69, AND BLOCKS 70 TO 76, ALL INCLUSIVE (ROAD CLOSING PETITION NO. P-845)

WHEREAS, the County Commission held a public hearing to consider a petition to close all roads from the centerline of SW 152 Avenue West to the East right-of-way line of C-1W Canal and from SW 120 Street to SW 116 Street, lying within the plat of "GREATER MIAMI ESTATES PART ONE", recorded in Plat Book 23, Page 43, of the Public Records of Miami-Dade County, Florida, that abut Blocks 48 to 57, the South 1/2 of Block 69, and Blocks 70 to 76, all inclusive, 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 closing of the aforementioned road is contingent on the recording of the plat of CENTURY GARDENS AT TAMIAMI, tentative plat T-22648, that in the event the plat is not approved this resolution becomes null and void; (2) 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; (3) it is found that the action will serve a public purpose and benefit the public without violating private property rights; (4) that the procedure utilized in the adoption of this resolution is

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expressly ratified and approved; and (5) 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 |
| Dorrin 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

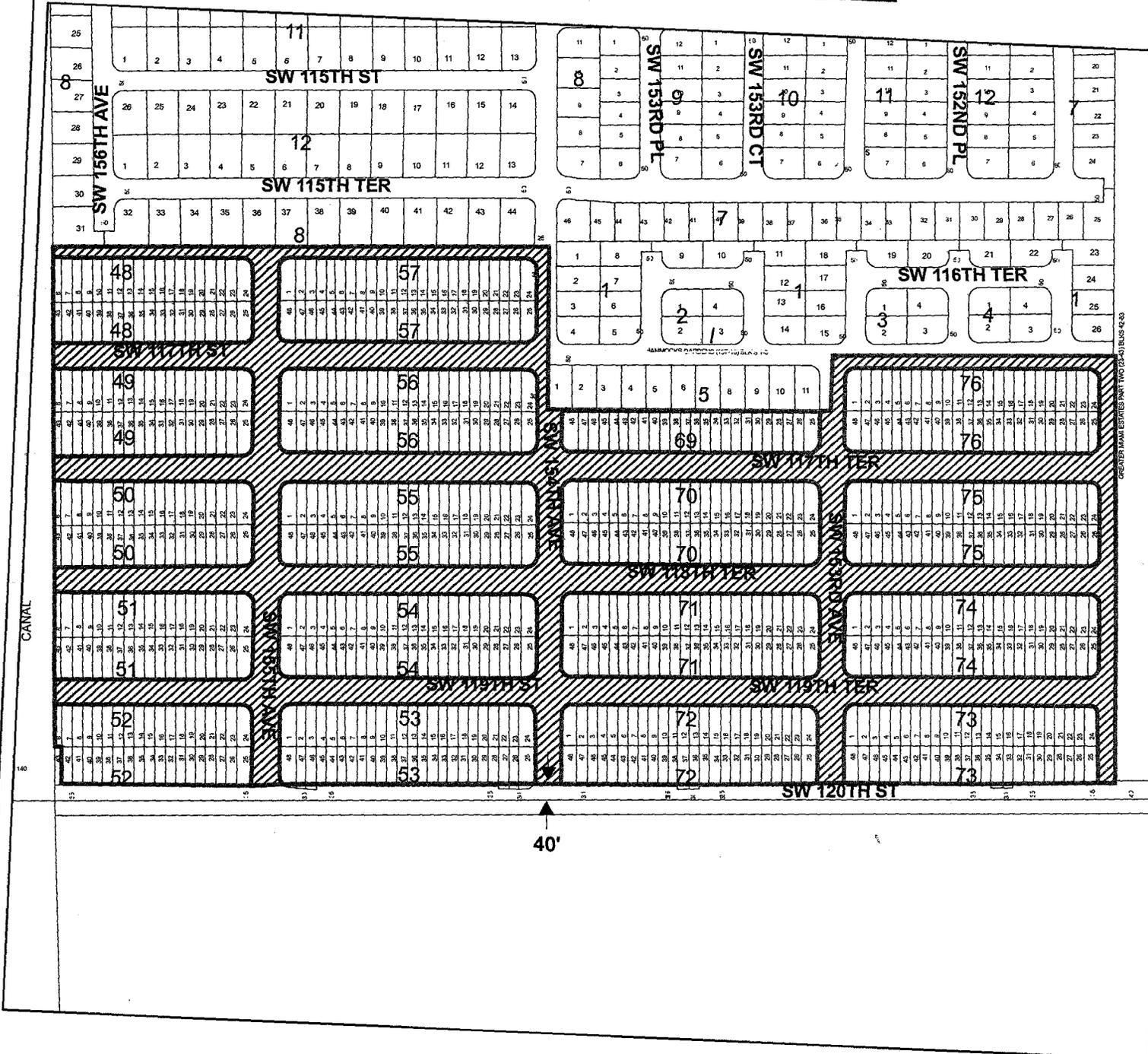
Approved by County Attorney as
to form and legal sufficiency.



Thomas Goldstein

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SECTION 09 TOWNSHIP 55 RANGE 39



Legend
 Road Closing

P-845



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PETITION TO CLOSE ROAD

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

The undersign, pursuant to Sections 336.09 – 336.12 Florida Statutes, hereby petition the Board of County Commissioners to vacate, abandon, discontinue and close an existing public or private street, alleyway, road, highway, or other place of 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 or disclaim any right of the 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.

SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

LEGAL DESCRIPTION:

That portion of Florida Street, Washington Street, Massachusetts Street, New York Street, Maryland Avenue, Ohio Avenue, Pennsylvania Avenue, New Jersey Avenue and Illinois Avenue shown lying within the limits of the plat of GREATER MIAMI ESTATES PART TWO, in Section 9, Township 55 South, Range 39 East, according to the Plat thereof recorded in Plat Book 23 at Page 43, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Commence at the Southeast corner of said Section 9, said corner having a Northing of 480709.59 feet and an Easting of 687039.64 based on the State Plane Coordinate System, (1974 Adjustment), Florida East Zone; thence run South 87°25'51" West along the common line between Sections 9 and 16, in Township 55 South, Range 39 East, where the North line of Section 16 was determined in the Final Judgment of Miami-Dade County Circuit Court Case No. 89-15236 (CA 25), for a distance of 2677.15 feet to the North 1/4 corner of said Section 16; thence continue South 87°25'51" West along the said common line for 83.71 feet to the Point of Beginning of the parcel of land herein after described; thence continue South 87°25'51" West along the said common line for 2585.86 feet to a point of intersection with the East right of way line of Canal C-1W defined by the Agreement to Fix Location of Common Boundary between Jack K. Thomas, Jr., Trustee and the South Florida Water Management District as recorded in Official Records Book 14311 at Page 3397; thence run North 02°25'09" West along the said East right of way line of Canal C-1W for a distance of 1359.10 feet to a point of intersection with the South line of Block 8 of the plat of HAMMOCKS SHORES THIRD ADDITION, according to the Plat thereof recorded in Plat Book 147 at Page 9, of the Public Records of Miami-Dade County, Florida; thence run North 87°25'34" East along the South line of the plat of HAMMOCKS SHORES THIRD ADDITION, for a distance of 1206.04 feet to a point of intersection with the centerline of SW 154th Avenue as shown on said plat of HAMMOCKS SHORES THIRD ADDITION, the common boundary line defined by the Agreement to Fix Location of Common Boundary between Jack K. Thomas, Jr., Trustee, Corlett et al and Metropolitan Dade County as recorded in Official Records Book 14309 at Page 2097; thence run South 02°23'36" East along the common boundary line defined by the said Agreement for a distance of 407.55 feet to the Southwest corner of Lot 1, Block 5 of HAMMOCKS GARDENS, according to the Plat thereof recorded in Plat Book 157 at Page 16, of the Public Records of Miami-Dade County, Florida; thence run North 87°25'34" East along the South line of the plat of HAMMOCKS GARDENS, for a distance of 690.00 feet to a point of intersection with the centerline of SW 153rd Avenue as shown on said plat of HAMMOCKS GARDENS; thence run North 02°23'36" West along the said centerline, a line 20 feet East of and parallel with the East line of Lot 11 in said Block 5 of HAMMOCKS GARDENS, for a distance of 136.00 feet to a point; thence run North 87°25'34" East along the center line of SW 117th Street as shown on the said plat of HAMMOCKS GARDENS, for a distance of 690.92 feet to a point of intersection with the

E.R. BROWNELL & ASSOCIATES, INC.

This Description and the accompanying Sketch are not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper. This Description and the accompanying Sketch are not valid one without the other.

December 13, 2006
April 18, 2007 Revised

West line of Tract "A" of AMERIFIRST PARK according to the Plat thereof recorded in Plat Book 127 at Page 65, of the Public Records of Miami-Dade County, Florida, were a portion of said West line was defined by the Agreement to Fix Location of Common Boundary between Jack K. Thomas, Jr., Trustee, Amerifirst Bank and Metropolitan Dade County as recorded in Official Records Book 14309 at Page 2109; thence South 02°22'03" East along said West line for a distance of 1087.77 feet to the Point of Beginning;

LESS

The South 40.00 feet of the Southwest 1/4 of Section 9, Township 55 South, Range 39 East, Miami-Dade County, Florida thereof;

AND LESS

That portion of the Lots lying within Blocks 48, 49, 50, 51 and 52, of the said plat of GREATER MIAMI ESTATES PART TWO, which lies East of the East right of way line of Canal C-1W as defined by the Agreement to Fix Location of Common Boundary between Jack K. Thomas, Jr., Trustee and the South Florida Water Management District, recorded in Official Records Book 14311 at Page 3397, of the Public Records of Miami-Dade County, Florida;

AND LESS

All of the Lots lying within Blocks 53, 54, 55, 56, 57, 70, 71, 72, 73, 74, 75 and 76, of the said plat of GREATER MIAMI ESTATES PART TWO;

AND LESS

That portion of the Lots lying within Block 69 of the said plat of GREATER MIAMI ESTATES PART TWO, which lie South of the South line of HAMMOCKS GARDENS, according to the Plat thereof recorded in Plat Book 157 at Page 16, of the Public Records of Miami-Dade County, Florida.;

All portions of said roadways contain 784,581 square feet more or less (18.012 acres more or less)

E.R. BROWNELL & ASSOCIATES, INC.

This Description and the accompanying Sketch are not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper. This Description and the accompanying Sketch are not valid one without the other.

EXHIBIT "B"

	PRINT NAME	FOLIO NO.	ADDRESS*
1	<u>Nereyda Rodriquez</u>	<u>30-5909-040-0080</u>	<u>11540 SW 156 AV Miami Fl</u>
2	<u>George Percides</u>	<u>30-5909-040-0090</u>	<u>15570 SW 115 TR Miami Fl</u>
3	<u>Nubia Martinez</u>	<u>30-5909-040-0100</u>	<u>15560 SW 115 TR Miami Fl</u>
4	<u>Tomas Trujillo</u> ^{W. ROXANA}	<u>30-5909-040-0110</u>	<u>15550 SW 115 TR Miami Fl</u>
5	<u>Rosario Gambino</u> ^{GRACIELA}	<u>30-5909-040-0120</u>	<u>15540 SW 115 TR Miami Fl</u>
6	<u>Maglo J. Montiel</u> ^{CLAUDIA}	<u>30-5909-040-0130</u>	<u>15530 SW 115 TR Miami Fl</u>
7	<u>Eladio M. Cepero</u> ^{MARIA}	<u>30-5909-040-0140</u>	<u>15520 SW 115 TR Miami Fl</u>
8	<u>William Montoya</u> ^{MARIA}	<u>30-5909-040-0150</u>	<u>15480 SW 115 TR Miami Fl</u>
9	<u>Andres Gonzalez</u> ^{MIRYAM}	<u>30-5909-040-0160</u>	<u>15470 SW 115 TR Miami Fl</u>
10	<u>Maria Guzman</u>	<u>30-5909-040-0170</u>	<u>15460 SW 115 TR Miami Fl</u>
11	<u>Kenneth C. Kepner</u> ^{GAIL}	<u>30-5909-040-0180</u>	<u>15450 SW 115 TR Miami Fl</u>
12	<u>Angel Karkado</u>	<u>30-5909-040-0190</u>	<u>15440 SW 115 TR Miami Fl</u>
13	<u>Hiram Sem</u> ^{JOSE MARTAS}	<u>30-5909-040-0200</u>	<u>15430 SW 115 TR Miami Fl</u>
14	<u>Carlos E Demestre</u> ^{TERESITA}	<u>30-5909-040-0210</u>	<u>15420 SW 115 TR Miami Fl</u>
15	<u>George R Rodriguez</u> ^{MARAGET}	<u>30-5909-045-0390</u>	<u>15380 SW 117 ST Miami Fl</u>
16	<u>Luz Stella Cancino</u>	<u>30-5909-045-0490</u>	<u>15300 SW 117 ST Miami FL</u>
17	<u>Beckman Coulter Inc</u>	<u>30-5909-014-0011</u>	<u>11800 SW 147 AV Miami Fl</u>

- Note all of the above addresses are located within the 33196 zip code.

6. NO FEDERAL OR STATE HIGHWAY AFFECTED: The undersigned certify that the above described road, right-of-way or land is not part of any state or federal highway and was not acquired or dedicated for state or federal highway purposes; and that such road, right-of-way or land is under the control and jurisdiction of the Board of County Commissioners.

7. GROUNDS FOR REQUESTING PETITION: The undersigned submits as grounds and reasons in support of this petition the following (state in detail, why the petition should be granted):

Existing roadway dedications proposed to be vacated do not conform to the roadway network recently approved by Resolution Z-39-06.

8. INTENT: The undersigned submit as grounds and reason for the utilization of the land sought to be closed (state purpose in detail):

Develop project as per the plan approved by Resolution Z-39-06 and T-plat 22648

(Petition must be signed by all property abutting the road, right-of-way or land to be closed or abandoned)

Respectfully submitted,

NAME SIGNATURE

ADDRESS

See list of signatures and addresses attached as Exhibit "C"

EXHIBIT "C"

NAME SIGNATURE

ADDRESS

	NAME SIGNATURE	ADDRESS
1	<u>Muriel Rodriguez</u>	<u>11540 SW 156 Ave.</u>
2	James Rodriguez	<u>15370 S.W. 115 Terr.</u>
3	J. Lopez	<u>15560 SW 115th Terr.</u>
4	James Rodriguez	<u>10770 SW 115 Terr.</u>
5	<u>William Rodriguez</u>	<u>15540 SW 115 Terr.</u>
6	<u>William Rodriguez</u>	<u>15530 SW 115 Terr.</u>
7	William Rodriguez	<u>15520 SW 115 Terr.</u>
8	<u>William Rodriguez</u>	<u>15480 SW 115 Terr.</u>
9		
10	<u>Maria Lopez</u>	<u>15460 SW 115 Terrace</u>
11	<u>Norma G. Flores</u> <u>Guil A. Lopez</u>	<u>15450 SW 115th Terr. DEE</u>
12	<u>Norma G. Flores</u>	<u>15430 SW 115th Terrace</u>
13	<u>Norma G. Flores</u>	<u>15440 SW 115 Terr.</u>
14	<u>Margaret Rodriguez</u>	<u>15380 SW 117 St</u>
15	Norma G. Flores	<u>15420 SW 115 Terr Miami</u>
16	<u>Luc S. Cancino</u>	<u>15300 S.W. 117 ST MIAMI 33196.</u>
17		

