

Memorandum



Date: December 7, 2010

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: Resolution Approving a Maintenance Map for a Portion of SW 127 Avenue (Burr Road) Between 330 feet South of SW 193 Terrace and SW 193 Terrace in Section 1, Township 55 South, Range 39 East; Authorizing the Chairman and Clerk of the Board to Certify the Maintenance Map and Authorizing the Recording Thereof Among the Public Records of Miami-Dade County, Florida

Agenda Item No.8(P)(1)(A)

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution approving a Maintenance Map for a portion of SW 127 Avenue between 330 feet South of SW 193 Terrace and SW 193 Terrace, authorizing the Chairman and the Clerk of the Board to certify the same, and authorizing the recordation thereof in the Public Records of Miami-Dade County, Florida.

Scope

The subject road is a County road located within Commission District 8.

Fiscal Impact/Funding Source

There will be no increase in maintenance cost to the County as a result of this action because the County has already been maintaining the property for the past four years. The current maintenance cost for this road is approximately \$100.00 annually and is funded from the Department's General Fund allocation.

Track Record/Monitor

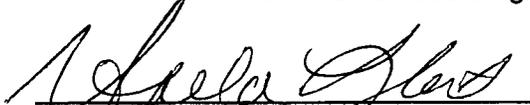
Not applicable.

Background

SW 127 Avenue (Burr Road) between 330 South of SW 193 Terrace and SW 193 Terrace has been constructed and maintained continuously by Miami-Dade County Public Works Department (PWD) for a period over four years. In accordance with Chapter 95.361, Florida Statutes, title to a road maintained by the County for over four years vests in the County. Pursuant to such statute, the filing of a maintenance map in the Office of the Clerk of the Court, which has been certified by the Chair and the Clerk of the Board, is deemed prima facie evidence of that ownership by the County.

The subject Maintenance Map has been executed by the Chief of the Road, Bridge and Canal Maintenance Division of the PWD, thereby certifying that the County has maintained this road for over four years. It is therefore recommended that the attached Maintenance Map be approved by the Board, after which it will be certified and recorded, in accordance with the aforementioned Florida Statute..

The Mylar reproducible of the Maintenance Map is to be executed by the Chair and Clerk of the Board and returned to the PWD for recording in the Public Records of Miami-Dade County, Florida.


Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: December 7, 2010

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

SUBJECT: Agenda Item No. 8(P)(1)(A)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(P)(1)(A)
12-7-10

RESOLUTION NO. _____

RESOLUTION APPROVING A MAINTENANCE MAP FOR A PORTION OF SW 127 AVENUE (BURR ROAD) BETWEEN 330 FEET SOUTH OF SW 193 TERRACE AND SW 193 TERRACE IN SECTION 1, TOWNSHIP 56 SOUTH, RANGE 39 EAST; AUTHORIZING THE CHAIRMAN AND THE CLERK OF THE BOARD TO CERTIFY THE MAINTENANCE MAP AND AUTHORIZING THE RECORDING THEREOF AMONG THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA

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

WHEREAS, the Director of Public Works Department has recommended that an Official Maintenance Map be filed for record to indicate prima facie evidence of ownership, pursuant to the provisions of Chapter 95.361 of the Florida Statutes and the County Manager has concurred in such recommendation,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board ratifies and adopts these matters set forth in the foregoing recitals.

Section 2. The Board approves the Maintenance Map for a portion of SW 127 Avenue (Burr Road) between 330 feet South of SW 193 Terrace and SW 193 Terrace, and authorizes the Chairman and the Clerk of the Board to certify same pursuant to Chapter 95.361 of the Florida Statutes.

Section 3. Pursuant to Resolution R 974-09, this Board: (a) directs the County Mayor or Mayor's designee to record any instruments executed in connection herewith which create or

reserve a property interest in favor of the County, in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of instruments to the Clerk of the Board within thirty (30) days of execution of said instruments; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said instruments together with this resolution.

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:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Lynda Bell
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of December, 2010. 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

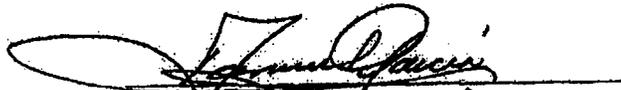
Approved by County Attorney as
to form and legal sufficiency.



Debra Herman

AFFIDAVIT

THIS IS TO CERTIFY THAT I, Manuel O. Garcia, Chief of Road, Bridge and Canal Maintenance Division of the Miami-Dade County Public Works Department have determined, to the best of my knowledge, that Miami-Dade County road forces have maintained the pavement and the concrete sidewalk along SW 127 Avenue between 330 feet South of SW 193 Terrace to the centerline of SW 193 Terrace, in unincorporated Miami-Dade County, for at least four (4) years.



Manuel O. Garcia, Chief
Road, Bridge and Canal
Maintenance Division
Miami-Dade County
Public Works Department

STATE OF FLORIDA
COUNTY OF DADE



The foregoing instrument was acknowledged before me this 6 day of Oct., 2010 by Manuel O. Garcia, who is personally known to me and who did take and oath.


NOTARY PUBLIC STATE OF FLORIDA

MY COMMISSION EXPIRES: 4/20/2012

COMMISSION/SERIAL NO. 00771424

