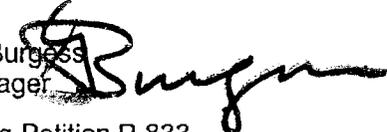


Date: April 13, 2011

INLUC
Agenda Item No. 3R

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: Road Closing Petition P-833
Section: 26-54-40
SW 68 Court, from SW 56 Street (Miller Drive) South for Approximately 174 Feet
Commission District: 7

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

This road closing petition is located within Commission District 7.

Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the adjacent property to this right-of-way at \$6.15 per square foot. Therefore, the estimated value of this right-of-way would be approximately \$54,900. If this right-of-way is closed and vacated, the land will be placed on the tax roll, generating an estimated \$1,127 per year in additional property taxes. The fee for this road closing is \$6,290.00.

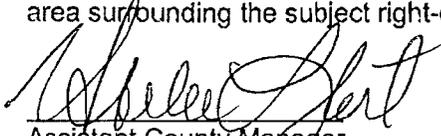
Track Record/Monitor

Not Applicable.

Background

The Petitioner, Sergio Moreno, wishes to close SW 68 Court, from SW 56 Street (Miller Drive) South for approximately 174 feet, as a public right-of-way and convert it to an access easement by the proposed plat of "MILLER OAK ESTATES", Tentative Plat Number T-22806.

The subject right-of-way was dedicated in 2003, by the plat of "MILLER GROVE ESTATES", recorded in Plat Book 161, Page 99, of the Public Records of Miami-Dade County, Florida. The area surrounding the subject right-of-way is zoned E-UM (Estates Modified District).


Assistant County Manager

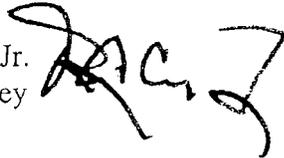
Note: The Clerk is directed to publish notice of a public hearing on a Road Closing Petition in a newspaper of general circulation in Miami-Dade County, one (1) time, at least two (2) weeks prior to the date of said public hearing in conformity with the statutory requirements.



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez **DATE:**
and Members, Board of County Commissioners

FROM: R. A. Cuevas, Jr. **SUBJECT:** Agenda Item No.
County Attorney 

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

Agenda Item No.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION GRANTING PETITION TO CLOSE SW
68 COURT, FROM SW 56 STREET (MILLER DRIVE)
SOUTH FOR APPROXIMATELY 174 FEET (ROAD
CLOSING PETITION NO. P-833)

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, (1) that the closing of the aforementioned road is contingent on the recording of the plat of MILLER OAK ESTATES, tentative plat T-22806, 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; save and except that the land is reserved as a utility and private access easement; (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 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of May, 2011. 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.



Alex S. Bokor

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:

LEGAL DESCRIPTION:

That portion of SW 68th Court lying within the limits of Miller Grove Estates as recorded in Plat Book 161 at Page 99 of the Public Records of Miami-Dade County, Florida, in Section 26, Township 54 South, Range 40 East, bounded on the North by the South right of way line of SW 56th Street (Miller Drive), bounded on the South by the South right of way line of said SW 68th Court which is coincident with a portion of that boundary line of Lot 2, Block 1 of said Miller Grove Estates as above described, that is 50 feet North of and parallel to the South line of said Lot 2; and lying between the East right of way line of said SW 68th Court, and the West right of way line of said SW 68th Court.

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 was acquired and is evidenced in the following manner (state whether public interest was acquired by deed, dedication or prescription and set forth where deed or plat is recorded in public records):

This Right-of-Way was dedicated by the plat of MILLER GROVE ESTATES, as recorded in Plat Book 161, Page 99, of the Public Records of Miami-Dade County, Florida.

3. ATTACH SURVEY SKETCH: Attached hereto is a survey accurately showing and describing the above described right-of-way 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 the above described right-of-way.

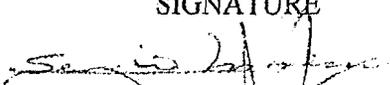
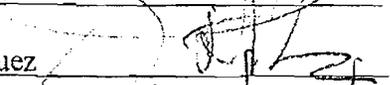
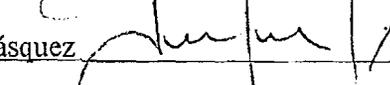
PRINT NAME	FOLIO NO.	ADDRESS
<u>Sergio Moreno</u>	<u>30-4026-042-0030</u>	<u>5601 SW 68 Ct., Miami, FL</u>
<u>Lisandro Rodríguez</u>	<u>30-4026-042-0020</u>	<u>5621 SW 68 Ct., Miami, FL</u>
<u>José Miguel Velásquez</u>	<u>30-4026-042-0010</u>	<u>5600 SW 68 Ct., Miami, FL</u>

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):

Road being converted to private by a replat of it together with the three abutting lots.

7. Signatures of all abutting property owners: Respectfully submitted,

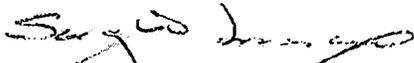
SIGNATURE	ADDRESS
<u>Sergio Moreno</u> 	<u>5601 SW 68 Ct., Miami, FL</u>
<u>Lisandro Rodríguez</u> 	<u>5621 SW 68 Ct., Miami, FL</u>
<u>José Miguel Velásquez</u> 	<u>5600 SW 68 Ct., Miami, FL</u>

Attorney for Petitioner

Address: _____
Signature of Attorney not required)

STATE OF FLORIDA)
) SS
MIAMI-DADE COUNTY)

BEFORE ME, the undersigned authority, personally appeared **Sergio Moreno**, who first by me duly sworn, deposes and says that he is one of the petitioners named in and who signed the foregoing petition; that he is duly authorized to make this verification for and on behalf of all petitioners; that he has read the foregoing petition and that the statements therein contained are true.

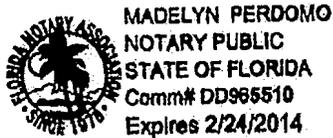


(Signature of Petitioner)

Sworn and subscribed to before me this

11th day of January, 2011
Madelyn Perdomo
Notary Public State of Florida at Large

My Commission Expires: 2/24/2014

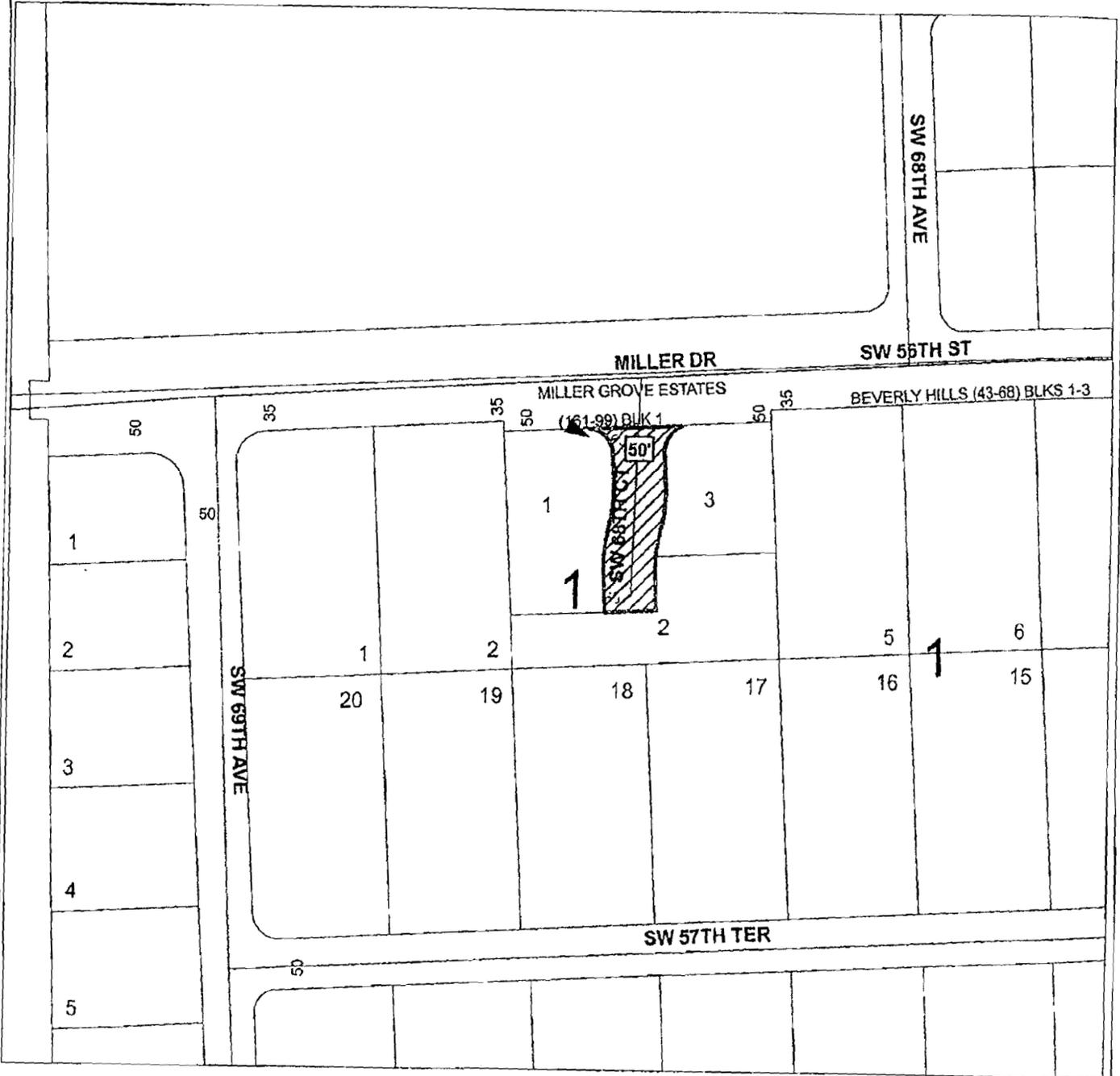




Location Map



SECTION 26 TOWNSHIP 54 RANGE 40



Legend

-  Road Closing
-  Lot Lines

P-833



SECTION 26 TOWNSHIP 54 RANGE 40



Legend

-  Road Closing
-  Lot Lines

P-833


NORTH
Yazmin Moreno
Senior Cadastral Technician
October 11, 2006