

# Memorandum



**Date:** May 3, 2011  
**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

Agenda Item No. 8(R)(1)(D)

**From:** George M. Burgess  
County Manager

**Subject:** Conveyance of a Portion of Real Property Owned by Miami-Dade County to the City of Doral for Use as a Public Right of Way

## RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution approving execution of a County Right-Of-Way Deed by the County to the City of Doral in which two parcels of County owned real property are being conveyed to the City of Doral for use as a public right-of-way along N.W 74 Street between N.W. 102 Avenue and N.W. 104 Avenue.

## SCOPE OF AGENDA ITEM

This agenda item is for the conveyance of real property to the City of Doral, in Commission District 12.

## FISCAL IMPACT/FUNDING SOURCE

There is a positive fiscal impact of \$10 to the County. Pursuant to Resolution R-530-10 adopted by the Board on May 4, 2010, 1) there is a one-time payment in the amount of \$10 from the City of Doral to the County for the conveyance, 2) a funding source is not required as the County is the recipient of a one-time payment of \$10 from the City of Doral, and 3) there is no fiscal impact to the County's current budget and to future annual budgets.

## TRACK RECORD/MONITOR

The Miami-Dade Water and Sewer Department (WASD) Real Estate Manager will keep a record of this conveyance.

## BACKGROUND

WASD is the designated user department for County owned real property, Folio 35-3017-001-0170 (as attached) located along the south side of N.W. 74 Street between N.W. 102 Avenue and N.W. 104 Avenue in the City of Doral.

Pursuant to R-823-06, adopted by the Board in 2006, the County conveyed a 63-foot strip of land (a portion of Tract 17) running along the entire length of WASD's property on the south side of N.W. 74 Street at N.W. 102 Avenue to be used as a public right-of-way for roadway improvements. The two parcels being conveyed now are located on each side of the property conveyed in 2006, see Exhibit A. The first parcel of land consists of 8,136 square feet and is located along the N.W. 102 Avenue, and the second parcel consists of 8,150 square feet and is located along N.W. 104 Avenue. Both parcels are being conveyed to the City of Doral to be used as a public right-of-way for roadway infrastructure and utilities. They will revert back to the County if they are no longer used for the purposes stated in the County Deed.

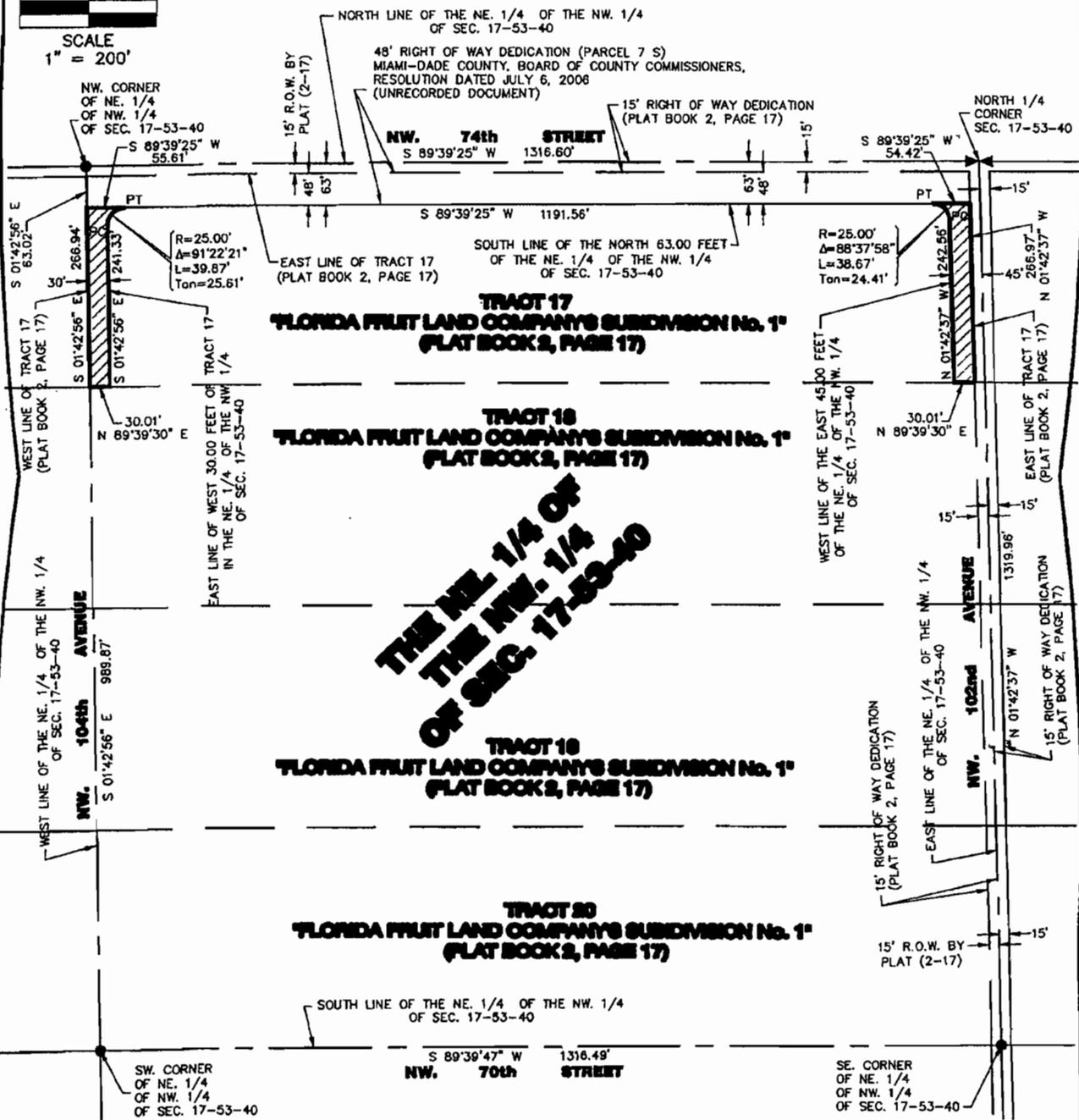
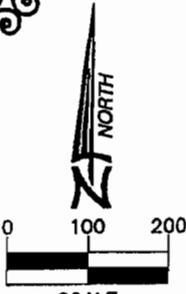
  
Assistant County Manager

# Exhibit "A"

## SKETCH TO ACCOMPANY LEGAL DESCRIPTION for THE CITY OF DORAL

### LEGEND

P.C. = POINT OF CURVATURE	R = RADIUS CURVE
P.T. = POINT OF TANGENCY	Δ = CENTRAL ANGLE
P.B. = PLAT BOOK	L = ARC LENGTH
P.G. = PAGE	TAN = TANGENT LINE
SEC. = SECTION	 = AREA OF RIGHT OF WAY DEDICATION
R.O.W. = RIGHT OF WAY	



NOTICE: Not full and complete without all pages. Total of Three (3) Pages

No. 10083  
Page 1 of 3



# MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez      DATE: May 3, 2011  
and Members, Board of County Commissioners

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

SUBJECT: Agenda Item No. 8(R)(1)(D)

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(R)(1)(D)  
5-3-11

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

RESOLUTION APPROVING EXECUTION OF COUNTY RIGHT OF WAY DEED BY MIAMI-DADE COUNTY, FLORIDA, TO THE CITY OF DORAL, IN ACCORDANCE WITH FLORIDA STATUTE 125.38; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED TO A PORTION OF PROPERTY LOCATED ALONG N.W. 74 STREET BETWEEN N.W. 102 AND N.W. 104 AVENUE

**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 City of Doral, a municipality of the State of Florida, has requested the County convey a portion of the County's property for roadway infrastructure and utilities; and

**WHEREAS**, this Board is satisfied that said property can be used for said purpose; and

**WHEREAS**, this Board finds that pursuant to Section 125.38 of the Florida Statutes the conveyance of said property to the City of Doral serves the best interest of the County; and

**WHEREAS**, the Board desires to grant the County Mayor or the County Mayor's designee to take all actions necessary to accomplish the conveyance of said property, legally described in the accompanying County Deed, 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, pursuant to Section 125.38 of the Florida Statutes, hereby declares surplus County-owned property legally described in the aforementioned County Deed; authorizes the waiver of Administrative Order 8-4 as it relates to review by the Planning Advisory Board; approves the execution of the Right of Way

County Deed to the City of Doral, in substantially the form attached hereto and made a part hereof; and authorizes the County Mayor or his designee to execute same for and on behalf of Miami-Dade County, Florida.

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	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 3<sup>rd</sup> 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

Approved by County Attorney as  
to form and legal sufficiency:

Henry N. Gillman

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

**NOTICE TO ACCOMPANY LEGAL DESCRIPTION**  
for  
**THE CITY OF DORAL**

**LEGAL DESCRIPTION:**  
**PORTION OF NW. 102nd AVENUE RIGHT OF WAY DEDICATION**

That portion of Tract 17 of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION No. 1" in Section 17, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida, according to the plat thereof, as recorded in Plat Book 2, at Page 17 of the Public Records of Miami-Dade County, Florida, lying within the West 30.00 feet of the East 45.00 feet of the Northwest 1/4 of said Section 17 and bounded on the North by the South Line of the North 63.00 feet of the Northwest 1/4 of said Section 17,

**AND**

The external area formed by a 25.00 feet radius arc, concave to the Southwest, tangent to the South Line of the North 63.00 feet of the Northwest 1/4 of said Section 17 and tangent to the West Line of the East 45.00 feet of the Northwest 1/4 of said Section 17.

Containing 8,136 Square Feet, more or less, by calculations.

**LEGAL DESCRIPTION:**  
**PORTION OF NW. 104th AVENUE RIGHT OF WAY DEDICATION**

That portion of Tract 17 of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION No. 1" in Section 17, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida, according to the plat thereof, as recorded in Plat Book 2, at Page 17 of the Public Records of Miami-Dade County, Florida, lying within the West 30.00 feet of said Tract 17 and bounded on the North by the South Line of the North 63.00 feet of the Northwest 1/4 of said Section 17,

**AND**

The external area formed by a 25.00 feet radius arc, concave to the Southeast, tangent to the South Line of the North 63.00 feet of the Northwest 1/4 of said Section 17 and tangent to the East Line of the West 30.00 feet of the Northeast 1/4 of the Northwest 1/4 of said Section 17.

Containing 8,150 Square Feet, more or less, by calculations.

6

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**  
for  
**THE CITY OF DORAL**

**SOURCES OF DATA:**

The Legal Description of the Subject Property was generated from the plat of "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION No.1", recorded in Plat Book 2, Page 17, Miami-Dade County Records.

Township Maps prepared by Miami-Dade County, Public Works Department, Engineering Division Services, for Section 17, Township 53 South, Range 40 East, City of Doral, Miami-Dade County, Florida.

In addition, the following sources of data were used to the extent required to complete this document in a defensible matter, that is to say:

— A copy of a Resolution dated July 6, 2006 and passed by the Miami-Dade County, Board of County Commissioners, designating a portion of Miami-Dade County owned property as Road Right of Way for NW. 74th Street, West of NW. 102nd Avenue, for a quarter mile stretch, west of NW. 102nd Avenue, in Section 17-53-40, Miami-Dade County, Florida.

Bearings as shown hereon are based upon the Centerline of NW. 74th Street (North Line of the NE. 1/4 of the NW. 1/4 of Sec. 17-53-40) with an assumed bearing of S89°39'25"W.

**EASEMENTS AND ENCUMBRANCES:**

No information was provided as to the existence of any easements other than what appears on the underlying Plat of record. Please refer to the Limitations item with respect to possible restrictions of record and utility services.

**LIMITATIONS:**

Since no other information other than what is cited in the Sources of Data were furnished, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on the Sketch or contained within this Report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

**INTENDED USE / EXPRESS PURPOSES:**

It is understood by the Surveyor that the intended use of this document is to dedicate a portion of Right of Way to be used for public purposes.

**SURVEYOR'S CERTIFICATE:**

I hereby certify that this "Sketch to Accompany Legal Description," was prepared under my direction and is true and correct to the best of my knowledge and belief and further, that said Sketch meets the intent of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 5J-17-05 of the Florida Administrative Code and its implementing Rule, Chapter 472.027 of the Florida Statutes.

By: Jose Senas Date: 09/10/10

Jose Senas, P.S.M.  
Professional Surveyor and Mapper LS5938  
State of Florida  
HADONNE CORP.  
Land Surveyors and Mappers  
Certificate of Authorization LB7097  
1985 N.W. 88th Court, Suite 202  
Doral, Florida 33172  
305.266.1188 phone  
305.207.6845 fax

NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Each Sheet as incorporated therein shall not be considered full, valid and complete unless attached to the others. This Notice is required by Rule 5J-17-05 of the Florida Administrative Code.

NOTICE: Not full and complete without all pages. Total of Three (3) Pages

No. 10083  
Page 3 of 3

7

My Home

[miamidade.gov](http://miamidade.gov)



ACTIVE TOOL: SELECT



Show Me:

Property Information

Search By:

Select Item

- Text only
- Property Appraiser Tax Estimator
- Property Appraiser Tax Comparison

Summary Details:

Folio No.:	35-3017-001-0170
Property:	
Mailing Address:	MIAMI-DADE COUNTY WATER AND SEWER 3071 SW 38 AVE MIAMI FL 33146-1520

Property Information:

Primary Zone:	8900 UNZONED
CLUC:	0080 VACANT LAND- GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	10 ACRES
Year Built:	0
Legal Description:	17 53 40 10 AC FLA FRUIT LAND CO SUB PB 2-17 TRACT 17 LOT SIZE IRREGULAR F/A/U 30-3017-001-0170

Assessment Information:

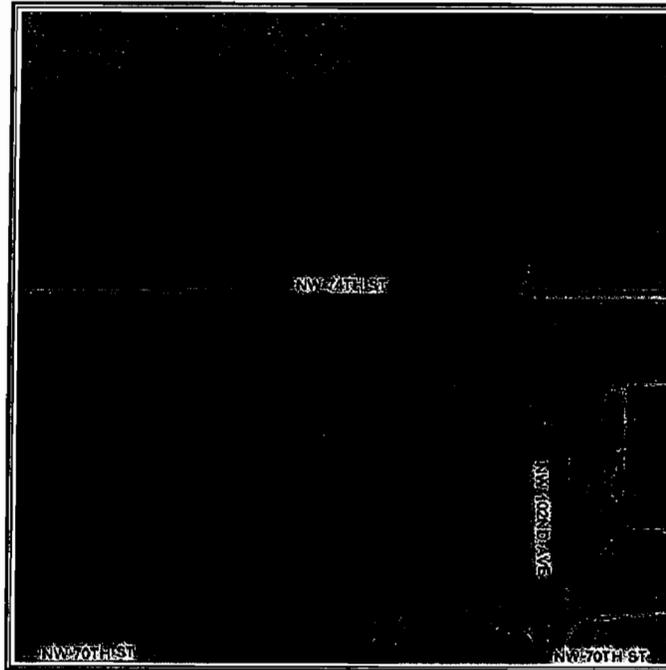
Year:	2010	2009
Land Value:	\$3,250,000	\$4,000,000
Building Value:	\$0	\$0
Market Value:	\$3,250,000	\$4,000,000
Assessed Value:	\$3,250,000	\$4,000,000

Taxable Value Information:

Year:	2010	2009
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$3,250,000/ \$0	\$4,000,000/ \$0
County:	\$3,250,000/ \$0	\$4,000,000/ \$0
City:	\$3,250,000/ \$0	\$4,000,000/ \$0
School Board:	\$3,250,000/ \$0	\$4,000,000/ \$0

Additional Information:

Click here to see more information for this property:  
 Community Development District  
 Community Redevelopment Area  
 Empowerment Zone  
 Enterprise Zone  
 Zoning Land Use  
 Urban Development Boundary  
 Zoning  
 Non-Ad Valorem Assessments



Aerial Photography - 2009

0 — 233 ft

Legend

- Property Boundary
- Selected Property
- Street
- Highway
- Miami-Dade County
- Water



[My Home](#) | [Property Information](#) | [Property Taxes](#)  
 | [My Neighborhood](#) | [Property Appraiser](#)

[Home](#) | [Using Our Site](#) | [Phone Directory](#) | [Privacy](#) | [Disclaimer](#)

If you experience technical difficulties with the Property Information application,  
 or wish to send us your comments, questions or suggestions  
 please email us at [Webmaster](#).

Web Site  
 © 2002 Miami-Dade County.  
 All rights reserved.



Return to:  
Liliana M. Rainey-Lacau, Real Estate Manager  
Miami-Dade Water & Sewer Department  
3071 SW 38<sup>th</sup> Ave (Le Jeune Rd. 2<sup>nd</sup> Floor)  
Miami, Florida 33146

**COUNTY DEED**

THIS DEED, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D. by and between MIAMI-DADE COUNTY, FLORIDA, a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 N.W. 1 Street Suite 17-202, Miami, Florida 33128-1970, and CITY OF DORAL, a Political Subdivision of the State of Florida and a Municipal Corporation, whose address is 8300 NW 53<sup>rd</sup> Street, Suite 300, Doral FL 33166, party of the second part,

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$ 10.00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida, to-wit:

See Attached - Exhibit A

This conveyance is subject to the property being used for public road, utilities, roadway infrastructure and other purposes incidental thereto, and if no longer used for said purposes shall revert to the County.

This deed conveys only the interest of the County and its Board of County Commissioners in the property herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor of said Board, the day and year aforesaid.

ATTEST:  
HARVEY RUVIN, CLERK

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

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

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

The foregoing was authorized and approved by Resolution No. \_\_\_\_\_ of the Board of County Commissioners of Miami-Dade County, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, A.D.20\_\_\_\_.