MEMORANDUM

Agenda Item No. 8(L)(2)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	September 17, 2013
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution designating portions of Miami-Dade County-owned property identified as William Randolph Neighborhood Park, as public road rights-of-way for SW 228 Street, and for Bailes Road, in Section 13, Township 56 South, Range 39 East

The accompanying resolution was prepared by the Public Works and Waste Management Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: September 17, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Designating Portions of Miami Dade County Owned Property Identified as William Randolph Neighborhood Park as Public Road Rights-of-Way in Section 13, Township 56 South, Range 39 East
Commission District 9

Recommendation
It is recommended that the Board of County Commissioners (BCC) approve the attached resolution designating portions of Miami-Dade County owned property identified as William Randolph Neighborhood Park, as public road rights-of-way. Said designations are required as a condition for a waiver of Plat that the Parks Recreation and Open Spaces Department (PROS) have filed with the Department of Regulatory and Economic Resources (RER).

Scope
The impact of this project is localized within Commissioner Dennis C. Moss' District 9.

Fiscal Impact/Funding Source
The total annual maintenance costs will be $380.00, and will be charged to Public Works and Waste Management Department (PWWM) General Fund allocation.

Track Record/Monitor
PWWM is the entity overseeing this project and the person responsible for monitoring it is Mr. Leandro Ona, PE, Chief, PWWM Roadway Engineering and Right-of-Way Division.

Background
This Resolution is for the designation as public road right-of-way of portions of Miami-Dade County owned property identified as the William Randolph Neighborhood Park. PROS is requesting these designations to comply with conditions for waiver of plat approval required by RER. The subject roads will enhance access to the Park by the general public.

There are two (2) portions of the property being designated as rights-of-way, one runs along the Northern boundary of the proposed Park and will be part of the right-of-way for SW 228 Street, the second portion being designated will be for the right-of-way for Bailes Road, an existing road that bisects the Park from east to west, running in a west northwesterly direction. The areas to be designated as road rights-of-way are described and illustrated on the sketch and legal descriptions show in Exhibits "A", "B", "C" and "D" attached herewith.

The parent tract for these parcels is the William Randolph Neighborhood Park which is under the jurisdiction of PROS. The Directors of PROS and PWWM agree upon the public benefits to be derived from the designation of portions of the William Randolph Neighborhood Park for public road right-of-way purposes.

Alina T. Hudak
Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 17, 2013

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

SUBJECT: Agenda Item No. 8(L)(2)

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 Mayor'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(L)(2)
9-17-13

RESOLUTION NO. _____

RESOLUTION DESIGNATING PORTIONS OF MIAMI-DADE COUNTY-OWNED PROPERTY IDENTIFIED AS WILLIAM RANDOLPH NEIGHBORHOOD PARK, AS PUBLIC ROAD RIGHTS-OF-WAY FOR SW 228 STREET, AND FOR BAILES ROAD, IN SECTION 13, TOWNSHIP 56 SOUTH, RANGE 39 EAST

WHEREAS, the Directors of the Public Works and Waste Management Department and Parks Recreation and Open Spaces have recommended that portions of County-owned land identified as William Randolph Neighborhood Park as depicted in Exhibits "A", "B", "C" and "D" be designated as public road rights-of-way for that portion of SW 228 Street adjacent to the north property boundary of said park, and for that portion of Bailes Road that crosses the park property in a northwesterly direction; and

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, that this Board hereby designates and declares the following described lands for that portion of SW 228 Street adjacent to the north property boundary of said park, and for that portion of Bailes Road that crosses the park property in a northwesterly direction, owned by Miami-Dade County, as public road rights-of-way as set forth in the accompanying memorandum, and as depicted in Exhibits "A", "B", "C" and "D" attached hereto and made a part hereof.

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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of September, 2013. 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

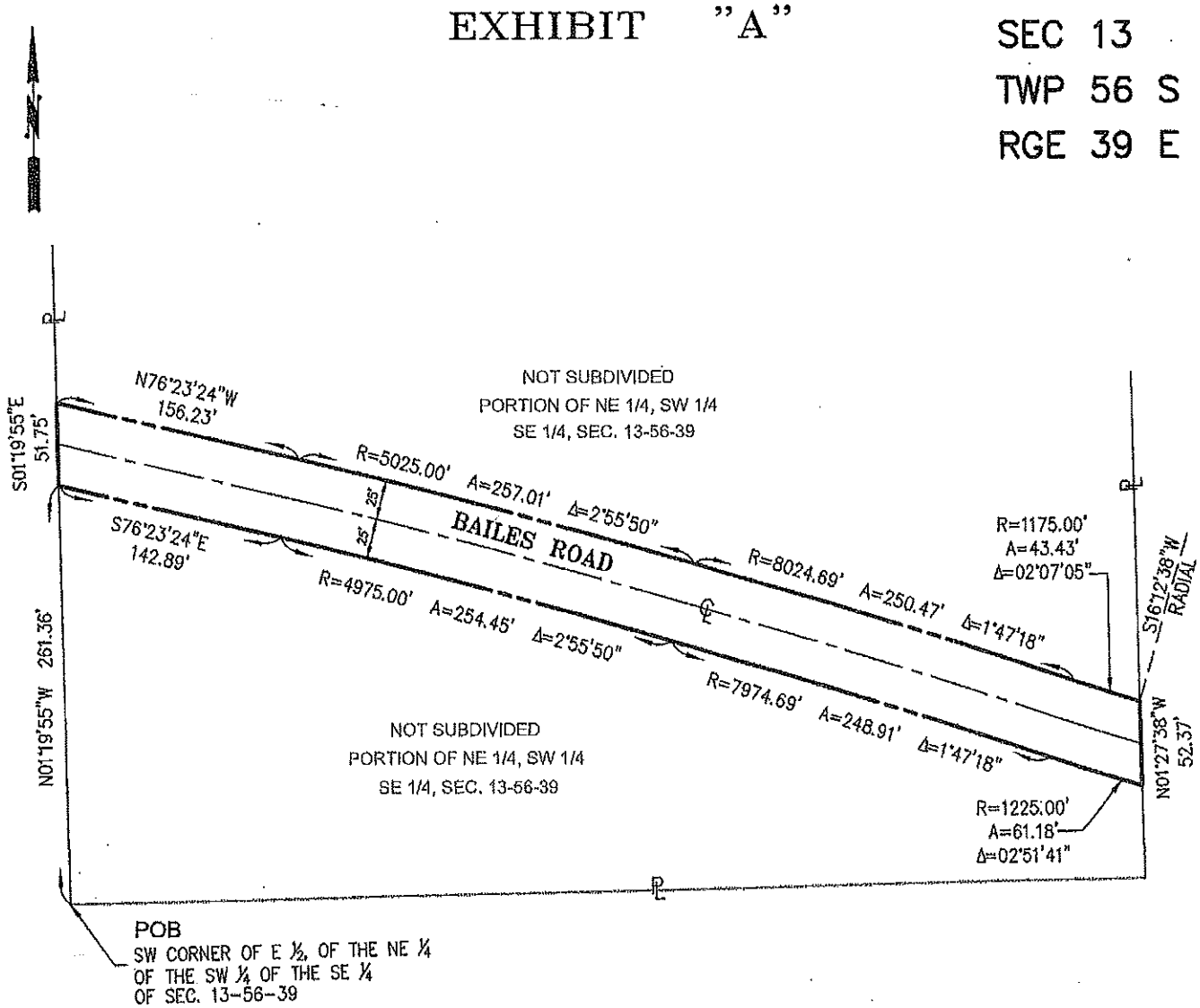
By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Debra Herman

EXHIBIT "A"

SEC 13
TWP 56 S
RGE 39 E



LEGEND

BOUNDARY LINE		AREA TO BE ACQUIRED	℄	PROPERTY LINE
SECTION LINE	(POB)	POINT OF BEGINNING	(L)	LENGTH
RIGHT-OF-WAY LINE	(POC)	POINT OF COMMENCEMENT	(Δ)	DELTA
QUARTER LINE	M	MONUMENT LINE	(R)	RADIUS
	℄	CENTER LINE	R/W	RIGHT OF WAY

THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.

MIAMI-DADE PWWM

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPT. LAND DEVELOPMENT/RIGHT-OF-WAY DIVISION ENGINEERING SECTION	BAILES ROAD	SCALE: 1"=100' DATE: 06-03-13 CHECKED BY: L. Lacau DRAWN BY: L. Espinosa PROJECT: SHEET: 1 of 2

EXHIBIT "B"

Legal Description (Bailes Road)

A portion of the East ½ of the NE ¼ of the SW ¼ of the SE ¼ of Section 13, Township 56 South, Range 39 East in Miami-Dade County Florida more particularly described as follows:

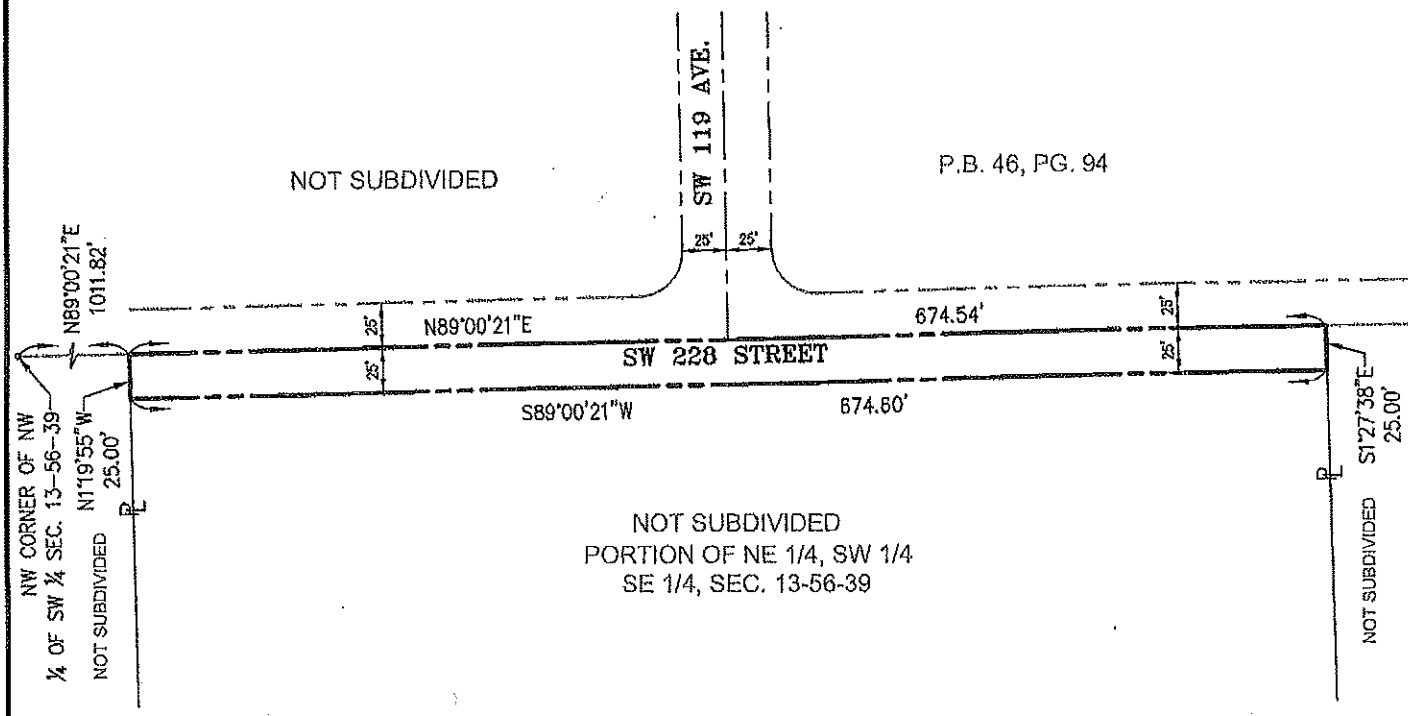
COMMENCE at the SW corner of the East ½ of the NE ¼ of the SW ¼ of the SE ¼ of said Section 13; Thence N01°19'55"W for 261.36 feet to the POINT OF BEGINNING of the herein described parcel; thence S76°23'24"E for 142.89 feet to a point of curvature of a curve concave to the southwest and having for its elements a radius of 4,975.00 feet and a Central Angle of 2°55'50"; thence 254.45 feet along the arc of said curve to a point of compound curvature of a curve concave to the southwest and having for its elements a radius of 7,974.69 feet and a Central Angle of 1°47'18"; thence 61.18 feet along of the arc of said curve to a point on the east line of the East ½ of the NE ¼ of the SW ¼ of the SE ¼ of said Section 13; thence N01°27'38W for 52.37 feet to a point said point being on a radial line bearing S16°12'38"W to the center of a curve concave to the southwest and having for its elements a radius of 1,175.00 feet and a Central Angle of 2°07'05"; Thence 43.43 feet along the arc of said curve to a point of compound curvature of curve concave to the southwest and having for its elements a Radius of 8,024.69 feet and a Central Angle of 1°47'18"; Thence along the arc of said curve for a distance of 250.47 feet to a point of compound curvature of a curve concave to the southwest and having for its elements a radius of 5,025.00 feet and a central angle of 2°55'50"; thence 257.01 feet along the arc of said curve to a point of tangency; Thence N76°23'24"W for 156.23 feet to a point on the west line of the NE ¼ of the SW ¼ of the SE ¼ of said Section 13; Thence S01°19'55"W for 51.75 feet to the POINT OF BEGINNING.

MIAMI-DADE PWWM THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPT. LAND DEVELOPMENT/RIGHT-OF-WAY DIVISION ENGINEERING SECTION	BAILES ROAD	SCALE:	DATE: 06-03-13
		CHECKED BY: L. Lacau	
		DRAWN BY: L. Espinosa	
		PROJECT:	SHEET:2 of 2

EXHIBIT "C"

SEC 13
TWP 56 S
RGE 39 E



LEGEND

	BOUNDARY LINE		AREA TO BE ACQUIRED	℞	PROPERTY LINE
	SECTION LINE	(POB)	POINT OF BEGINNING	(L)	LENGTH
	RIGHT-OF-WAY LINE	(POC)	POINT OF COMMENCEMENT	(Δ)	DELTA
	QUARTER LINE	ℳ	MONUMENT LINE	(R)	RADIUS
		℄	CENTER LINE	R/W	RIGHT OF WAY

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MIAMI-DADE PWWM

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPT. LAND DEVELOPMENT/RIGHT-OF-WAY DIVISION ENGINEERING SECTION	SW 228 STREET	SCALE: 1"=100'	DATE: 06-03-13
		CHECKED BY: L. Locau	
		DRAWN BY: L. Espinosa	
		PROJECT:	SHEET: 1 of 2

EXHIBIT "D"

Legal Description (SW 228 Street)

The North 25 feet of the East ½ of the NE ¼ of the SW ¼ of the SE ¼ of Section 13, Township 56 South, Range 39 East in Miami-Dade County Florida.

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MIAMI-DADE PWWM

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPT. LAND DEVELOPMENT/RIGHT-OF-WAY DIVISION ENGINEERING SECTION	SW 228 STREET	SCALE: DATE: 06-03-13 CHECKED BY: L. Lacau DRAWN BY: L. Espinosa PROJECT: SHEET:2 of 2