MEMORANDUM

Agenda Item No. 8(F)(3)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	July 1, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution authorizing the conveyance of a permanent Easement to the State of Florida Department of Transportation for the purpose of modifying and maintaining a signal Mast-arm at the crosswalk on SR 944/NW 54 Street west of NW 23 Avenue

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: July 1, 2014

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

From: Carlos A. Gimenez
Mayor

Subject: Authorizing the Conveyance of a Permanent Easement to the Florida Department of Transportation on County-Owned Land Located at 2301 NW 54 Street, Unincorporated Miami-Dade County
Folio No.: A portion of 30-3115-040-0800

Recommendation
It is recommended that the Board of County Commissioners (Board) authorize the conveyance of a 109 square foot permanent easement to the Florida Department of Transportation (FDOT).

Scope
The property is located in Commission District 3, which is represented by Commissioner Audrey M. Edmonson.

Fiscal Impact/Funding Source
There is no negative fiscal impact to the County associated with the conveyance of the easement.

Track Record/Monitor
Shannon Clark of the Real Estate Development Division in the Internal Services Department is managing the conveyance of this easement.

Delegation of Authority
This item authorizes the County Mayor or the Mayor's designee to execute same for and on behalf of Miami-Dade County and authorizes the County Mayor or the Mayor's designee to exercise any and all other rights conferred therein.

Background
FDOT has planned improvements on State Road 944 (NW 54 Street) to improve vehicular and pedestrian movement in the area. Improvements will include repaving and restriping the road, upgrading and replacing traffic and pedestrian signals at various locations, and upgrading pedestrian ramps to current standards. Parcel 801, owned by Miami-Dade County, is located on the north side of NW 54 Street west of NW 23 Avenue, and is required for modifying and maintaining a signal Mast-arm at the crosswalk. FDOT is requesting that the County grant an easement over this parcel. Construction is expected to begin in February 2015 and will last approximately four months.

Edward Marquez
Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: July 1, 2014

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

SUBJECT: Agenda Item No. 8(F)(3)

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(F)(3)
7-1-14

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERMANENT EASEMENT TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH F.S. 125.38, FOR THE NOMINAL SUM OF ONE DOLLAR ($1.00), IN, OVER, UNDER, UPON AND THROUGH A PORTION OF COUNTY OWNED PROPERTY FOR THE PURPOSE OF MODIFYING AND MAINTAINING A SIGNAL MAST-ARM AT THE CROSSWALK ON SR 944/NW 54 STREET WEST OF NW 23 AVENUE, ALSO KNOWN AS PARCEL 801, NOT NEEDED FOR COUNTY PURPOSES; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, the Board desires to accomplish the purposes outlined in the accompanying memorandum for the parcel described in the accompanying Easement, a copy of which is incorporated herein by reference as attached; and

WHEREAS, the State of Florida Department of Transportation (FDOT) proposes to improve State Road No. 944 (NW 54 Street) Roadway Project No. 431179-1 in Miami-Dade County; and

WHEREAS, in connection with said project, FDOT is upgrading and replacing traffic and pedestrian signals at various locations; and

WHEREAS, FDOT determined that in order to complete the improvements it was necessary to modify and maintain a signal Mast-arm at the crosswalk; and

WHEREAS, in connection with said project, FDOT is upgrading pedestrian ramps to current standards; and

WHEREAS, in order to make said improvements it is necessary that certain County owned land be acquired as an easement by FDOT; and

WHEREAS, FDOT has requested the granting of such an easement as more particularly described in Exhibit "A" to the Permanent Easement attached hereto (the "easement") which legal description encompasses approximately 109 square feet of land located west of the intersection of SR 944/NW 54 Street and NW 23 Avenue; and

WHEREAS, the Board finds that pursuant to Section 125.38 of the Florida Statutes, that said property is required for such use, is not needed for County purposes, and would promote community interest, and welfare,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board 1) adopts the foregoing recitals incorporated as if fully set forth herein; 2) approves the granting of the Easement for the nominal sum of one dollar ($1.00) pursuant to Section 125.38, Florida Statutes subject to the restriction that said parcel be used by FDOT for transportation related improvements to State Road No. 944; 3) the County Mayor or Mayor's designee is authorized to execute said Easement on behalf of Miami-Dade County and to exercise the provisions therein; 4) pursuant to Resolution No. R-974-09, (a) directs the County Mayor or Mayor's designee to record the instrument of conveyance executed herein in the Public Records of Miami-Dade County and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said instrument 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:

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 1st day of July, 2014. 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. JRA

Juliette R. Antoine

Return to:
Real Estate Development Division
Miami-Dade County
Internal Services Department
111 N.W. 1st Street, Suite 2460
Miami, FL 33128

Instrument prepared by:
Miami-Dade County
Internal Services Department
111 N.W. 1st Street Suite 2460
Miami, FL 33128

Folio No. a portion of
#30-3115-040-0800
User Department: Miami-Dade County
Community Action and Human Services

PERMANENT EASEMENT

STATE OF FLORIDA)
)
COUNTY OF Miami-Dade)

THIS EASEMENT, Made this _____ day of _____, A.D. 2014, by and between **Miami-Dade County**, a political subdivision of the State of Florida, having its office and principal place of business at 111 NW 1st Street, Miami, Florida 33128, party of the first part, and the **Florida Department of Transportation** an agency of the State of Florida, and its successors in interest, whose Post Office address is 1000 N.W. 111 Avenue, Miami, Florida 33172-5800, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar ($1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant to the party of the second part, and its successors and assigns, a perpetual easement for the purpose of modifying and maintaining a signal Mast-arm in, over, along, under, and across the Easement Area, being in the County of Miami-Dade, State of Florida, to-wit:

AS SHOWN ON EXHIBIT "A", ATTACHED HERETO AND TO BE MADE A PART HEREOF

It is expressly provided that if and whenever the use of the subject parcel for transportation purposes is discontinued, the title to the said above described land shall immediately revert to the party of the first part, its heirs and assigns, and it shall have the right to immediately repossess the same.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

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 County Mayor's or County Mayor's Designee, and attested by the Clerk or Deputy Clerk of said Board, the day and year aforesaid.

ATTEST:

HARVEY RUVIN,
CLERK OF SAID BOARD

By:_____
Deputy Clerk

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

By:_____
Carlos A. Gimenez
Mayor

Approved as to form
And Legal Sufficiency.

_____
Assistant County Attorney

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. 2014.

EXHIBIT "A"

LEGAL DESCRIPTION - PARCEL 801:

Being a portion of Lot 34, Block 5 of HIGHRIDGE PARK, according to the plat thereof, as recorded in Plat Book 17, Page 5 in the public records of Miami-Dade County, Florida, lying in the South-West 1/4 of Section 15, Township 53 South, Range 41 East, and being more particularly described as follows:

COMMENCE at the South 1/4 corner of the aforesaid Section 15; thence S 87°47'24" W, along the South line of the South-West 1/4 of said Section 15 for 833.04 feet; thence at right angles N 02°12'36" W for 35.00 feet to a point on the north right of way line of SR 944 (NW 54 Street), being the POINT OF BEGINNING of the following described parcel:

Thence S 87°47'24" W along the said right of way line a distance of 16.50 feet; thence N 02°12'36" W a distance of 6.60 feet; thence N 87°47'24" E a distance of 16.50 feet; thence S 02°12'36" E a distance of 6.60 feet to the POINT OF BEGINNING.

Containing 109 Square Feet of land, more or less.

LEGEND:

℄ - Baseline
C - Calculated
℄ - Centerline

(801) - Parcel Identification Number

EXIST. - Existing
FDOT - Florida Department of Transportation
F.P. - Financial Project
(LT) - Left
NO. - Number
(P) - Per Plat
P.B. - Plat Book
PG. - Page
RGE. - Range
R/W - Right-of-Way
SEC. - Section
STA. - Station
S.R. - State Road
TWP. - Township
P.O.B.- Point of Beginning
P.O.C.- Point of Commencement

GENERAL NOTES:

- THIS IS NOT A SURVEY
- Reproductions of this map are not valid without the signature and original raised seal of the Florida Licensed Surveyor and Mapper in responsible charge.
- The Bearings shown hereon are referenced to the Baseline of Survey of State Road 944 / NW 54th Street (FPID 431179-1-52-01), having a bearing of S 87°42'56" W. Bearings are based on the State Plane Coordinate System, Florida East Zone, NAD83.
- Additions and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.
- Not valid without the signature and original raised seal of a Florida Professional Surveyor & Mapper

3-14-2014

MANUEL G. VERA JR. DATE
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 5291
LICENSED BUSINESS: LB-2439
13960 SW 47th STREET
MIAMI, FL 33175

This document consists of two (2) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.

NOT A SURVEY

REVISION	BY	DATE

FLORIDA DEPARTMENT OF TRANSPORTATION

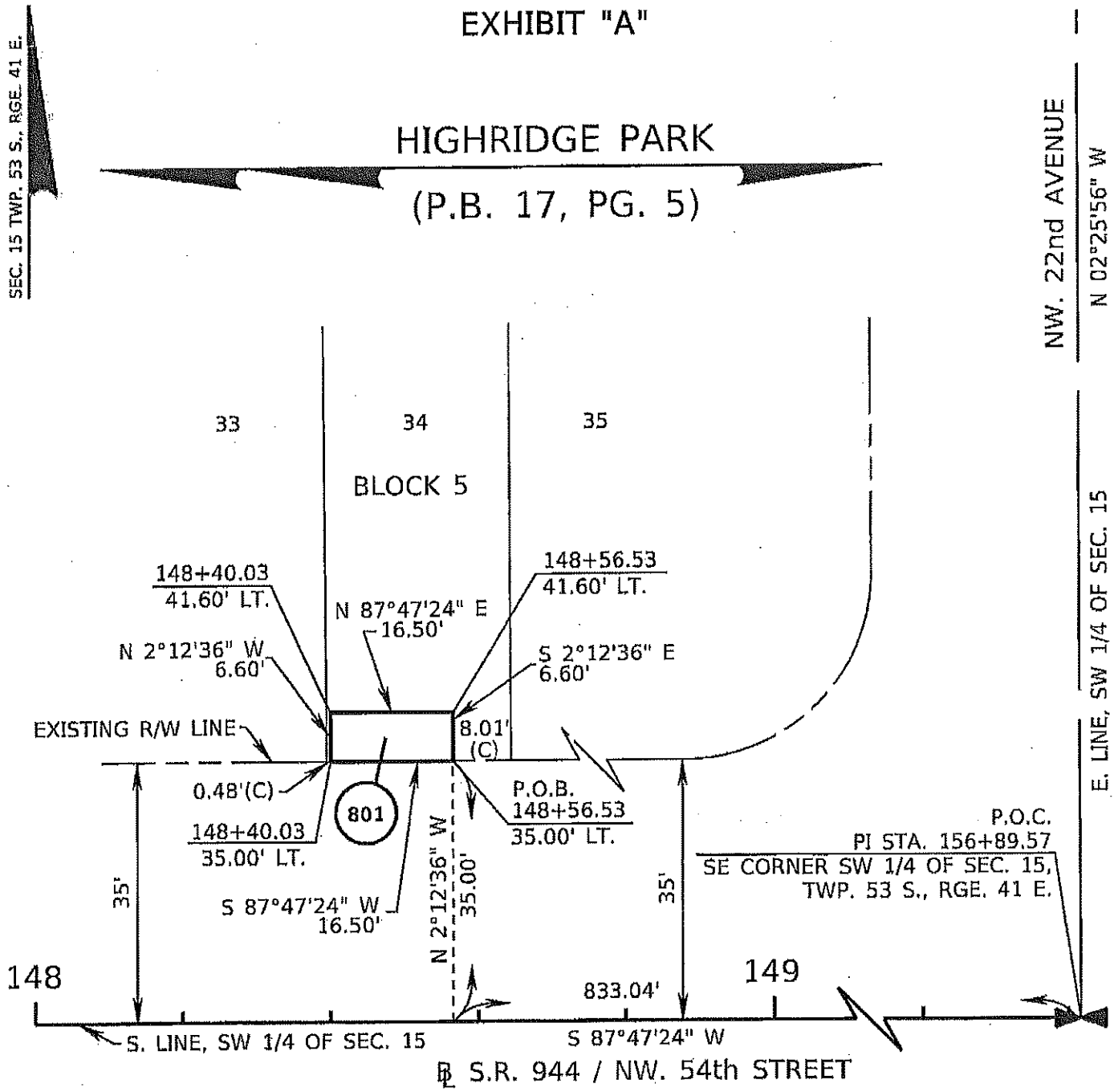
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

STATE ROAD NO. 944 — MIAMI-DADE COUNTY

	BY	DATE	PREPARED BY:		DATA SOURCE:
			M. G. VERA AND ASSOCIATES	LB#2439	SEE GENERAL NOTES
DRAWN	U.M.B.	03/05/14			
CHECKED	M.McK	03/06/14	F.P. NO. 431179-1	SECTION 87250	SHEET 1 OF 2

PARCEL NO.	OWNER'S NAME	PARCEL AREA	REMAINDER	COMMENTS
801	MIAMI-DADE COUNTY HUMAN SERVICES.	±109 SQ. FT.	UNDETERMINED	

EXHIBIT "A"



This document consists of two (2) sheets and shall not be considered full, valid, and complete unless each sheet is attached to the other.

NOT A SURVEY

0 10 20 40 60 80

Scale: 1" = 20'

REVISION	BY	DATE

FLORIDA DEPARTMENT OF TRANSPORTATION

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

STATE ROAD NO. 944 — MIAMI-DADE COUNTY

	BY	DATE
DRAWN	U.M.B.	03/05/14
CHECKED	M. McK	03/06/14

PREPARED BY: M. G. VERA AND ASSOCIATES LB#2439

DATA SOURCE: SEE GENERAL NOTES

F.P. NO. 431179-1 SECTION 87250 SHEET 2 OF 2

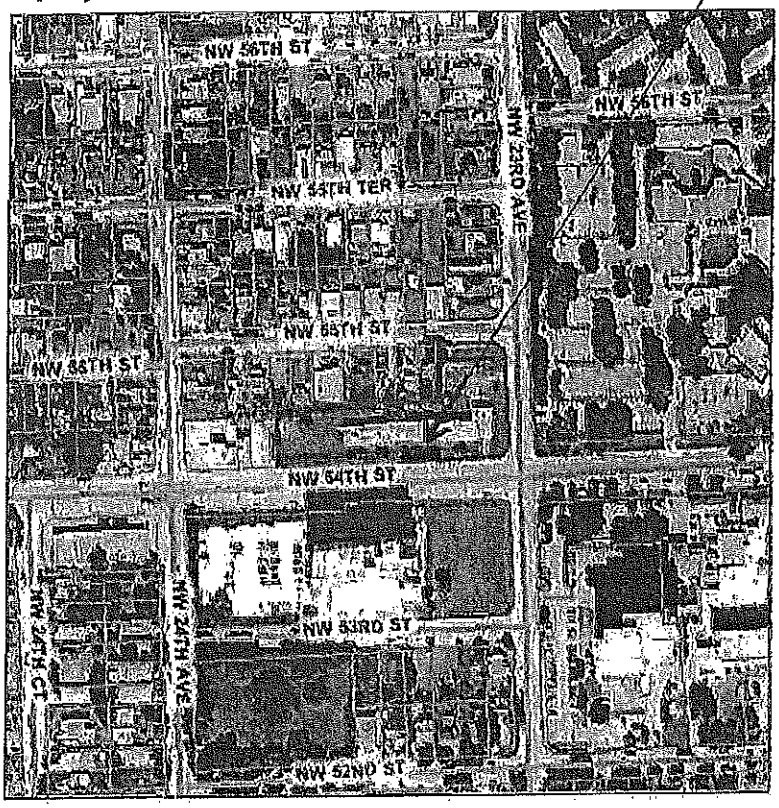
Area of Easement
Parcel 801

My Home
Miami-Dade County, Florida

miamidade.gov

MIAMI-DADE

Property Information Map



Aerial Photography - 2012

0 144 ft

This map was created on 3/25/2014 4:25:40 PM for reference purposes only.

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Summary Details:

Folio No.:	30-3115-040-0800
Property:	2301 NW 54 ST
Mailing Address:	MIAMI-DADE COUNTY HUMAN SERVICES 2525 NW 62 ST MIAMI FL 33147-7704

Property Information:

Primary Zone:	3800 MULTI-FAMILY - 22-37 U/A
CLUC:	0047 DADE COUNTY
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	8,559
Lot Size:	56,962 SQ FT
Year Built:	1972
Legal Description:	HIGHRIDGE PARK PB 17-5 LOTS 1-2-3 & 23 THRU 39 BLK 5 LOT SIZE IRREGULAR MODEL CITIES EMER SERVICE CTR

Assessment Information:

Year:	2013
Land Value:	$102,532
Building Value:	$350,270
Market Value:	$452,802
Assessed Value:	$452,802

Taxable Value Information:

Year:	2013
Taxing Authority:	Applied Exemption/ Taxable Value:
Regional:	$452,802/$0
County:	$452,802/$0
School Board:	$452,802/$0

Close