

# MEMORANDUM

Agenda Item No. 5(D)

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**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

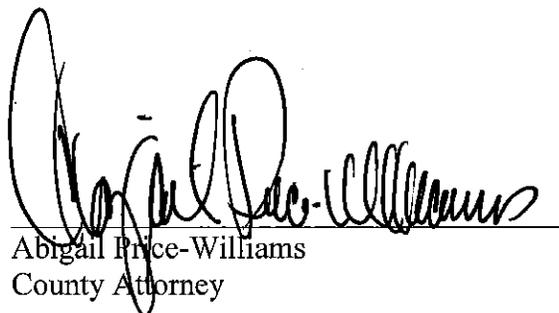
**DATE:** December 6, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution granting petition to  
close NE 25 Avenue, from NE  
179 Street North for 174.54 feet  
(Closing Petition No. P-918)

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The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Abigail Price-Williams  
County Attorney

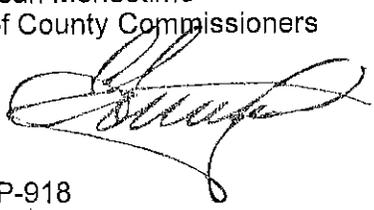
APW/cp

# Memorandum



**Date:** December 6, 2016

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Road Closing Petition P-918  
Section: 9-52-42  
NE 25 Avenue, from NE 179 Street North for 174.54 Feet  
Commission District: 4

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## Recommendation

It is recommended that the Board of County Commissioners (Board) grant the attached Road Closing Petition following a public hearing. The Miami-Dade County (County) Departments of Regulatory and Economic Resources, Transportation and Public Works (DTPW), Water and Sewer, and Fire Rescue have no objection to this right-of-way being closed.

## Scope

This road closing is located within Commission District 4, which is represented by Commissioner Sally A. Heyman.

## Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the adjacent property to this right-of-way at \$22.50 per square foot. Therefore, the estimated value of this right-of-way would be approximately \$196,357.50. If this right-of-way is closed and vacated, the right-of-way will be placed on the tax roll, generating an estimated \$3,585.00 per year in additional property taxes. The fee for this road closing is \$21,595.75.

## Track Record/Monitor

DTPW is the entity overseeing this project, and the person responsible for monitoring is Leandro Oña, P.E., Chief, Roadway Engineering and Right-of-Way Division.

## Background

The petitioner, West Dixie Holdings, LLC, wishes to close NE 25 Avenue, from NE 179 Street North for 174.54 feet, to incorporate the land into its property to be developed as per the County's Ojus Urban Area District. This right-of-way has never been improved nor maintained by the County, therefore, this action will not adversely impact traffic flow or continuity of traffic in the area.

The subject right-of-way was dedicated in 1915 by the plat of "JW IVES SUBDIVISION", recorded in Plat Book 3, Page 197, of the Public Records of Miami-Dade County, Florida. This right-of-way is located within the "Center Sub District," which is designated "Residential Modified" (12 to 36 units per acre).

  
Alina T. Hudak  
Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** December 6, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 5(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
- Statement of social equity 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

Agenda Item No. 5(D)

Veto \_\_\_\_\_

Override \_\_\_\_\_

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

RESOLUTION GRANTING PETITION TO CLOSE NE 25 AVENUE, FROM NE 179 STREET NORTH FOR 174.54 FEET (CLOSING PETITION NO. P-918)

**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 (1) the avenue, street, 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; (2) it is found that the action will serve a public purpose and benefit the public without violating private property rights; (3) the procedure utilized in the adoption of this resolution is expressly ratified and approved; and (4) 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:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Joe A. Martinez	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of December, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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

# Location Map

SECTION 09 TOWNSHIP 52 S RANGE 42 E



This is not a survey

## P-918

Municipality: UNINCORPORATED MIAMI-DADE  
Commission District: Sally A. Heyman, 4

**Legend**

-  P-918 Road Closing
-  MDC.Lot\_line
-  Lots
-  Lots

MIAMI-DADE COUNTY  
Public Works & Waste Management Department  
Right-of-Way Division  
111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128  
PH (305) 375-2714 FAX (305) 375-2825

Date: Rev. August 19, 2016  
Prepared by: ym

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**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 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 right-of-way sought to be closed is as follows:

SEE ATTACHED EXHIBIT "A"

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):

The roadway to be vacated was dedicated through the JW Ives subdivision, as recorded in Plat Book 3, Page 179 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>West Dixie Holdings, LLC</u>	<u>30-2209-010-0010</u>	<u>777 41 Street, Suite 207</u> <u>Miami Beach, FL 33140</u>
<u>West Dixie Holdings, LLC</u>	<u>30-2209-010-0030</u>	<u>777 41 Street, Suite 207</u> <u>Miami Beach, FL 33140</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):



ACCURATE CONSTRUCTION SURVEY CORP.  
 P.O. BOX 332181  
 MIAMI, FLORIDA 33233-2181  
 (305) 447-6906 EMAIL: INFO@SURVEYFL.COM  
 2841 DAY AVENUE, MIAMI, FLORIDA 33133

VACATE/CLOSURE SPECIAL PURPOSE SURVEY  
 LANDS DESCRIBED HEREIN  
 PLAT BOOK 3 AT PAGE 197 IN SECTION 9, TOWNSHIP 52 SOUTH,  
 RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA

PORTION OF AVENUE "A" (N.E. 25th AVENUE) RIGHT-OF-WAY TO BE VACATED:

LEGAL DESCRIPTION FOR OVERALL CLOSURE AREA:

THAT PORTION OF NE 25 AVENUE LYING WITHIN THE PLAT OF J.W. IVES SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 197, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEASTERLY CORNER OF LOT 5, BLOCK 5, OF SAID PLAT; THENCE S18°00'00"W, ALONG THE EASTERLY LINE OF SAID BLOCK 5, FOR 184.54 FEET TO THE POINT OF CUSP WITH A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 50.00 FEET, TO WHICH A RADIAL LINE BEARS N72°00'00"W; THENCE NORTHEASTERLY 10.07 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°32'13" TO A POINT OF NON-TANGENCY; THENCE S72°00'00"E FOR 48.99 FEET TO A POINT ON THE WESTERLY LINE OF LOT 17, BLOCK 2 OF SAID PLAT; THENCE N18°00'00"W, ALONG THE WESTERLY LINE OF SAID BLOCK 2, FOR 174.54 FEET TO THE NORTHWEST CORNER OF LOT 20 OF SAID BLOCK 2; THENCE N72°00'00"W, ALONG THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF SAID LOT 20, FOR 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 8,730.36 SQUARE FEET, MORE OR LESS.

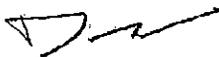
SURVEYOR'S CERTIFICATION

I CERTIFY THAT THE ATTACHED CLOSURE/VACATING AREA, AND LEGAL DESCRIPTIONS ASSOCIATED THEREWITH, COMPLY WITH ALL APPLICABLE REQUIREMENTS OF CHAPTER 28, SUBDIVISION CODE OF MIAMI-DADE COUNTY, FLORIDA.

CERTIFIED THIS 28th DAY OF JULY, A.D., 2016

DEAN S. WARHAFT  
 PROFESSIONAL SURVEYOR AND MAPPER NO. 6751  
 STATE OF FLORIDA  
 ACCURATE CONSTRUCTION SURVEY CORP.  
 2841 DAY AVENUE  
 CERTIFICATE OF AUTHORIZATION NO. 7265

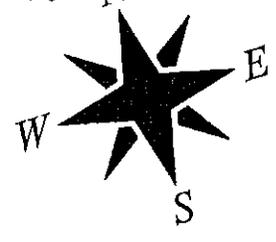
SEAL



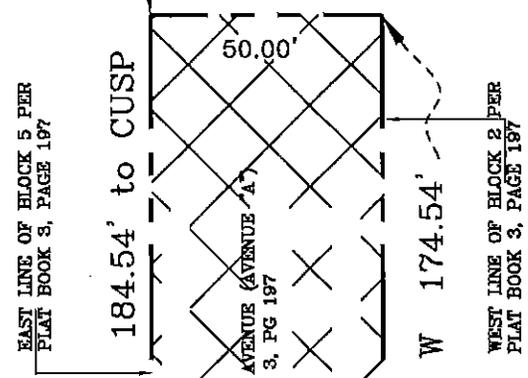
THIS IS A SPECIAL PURPOSE SURVEY



ACCURATE CONSTRUCTION SURVEY CORP.  
 P.O. BOX 332181  
 MIAMI, FLORIDA 33233-2181  
 (305) 447-6906 EMAIL: INFO@SURVEYFL.COM  
 2841 DAY AVENUE  
 MIAMI, FLORIDA 33133



P.O.B.  
 ROAD  
 CLOSING

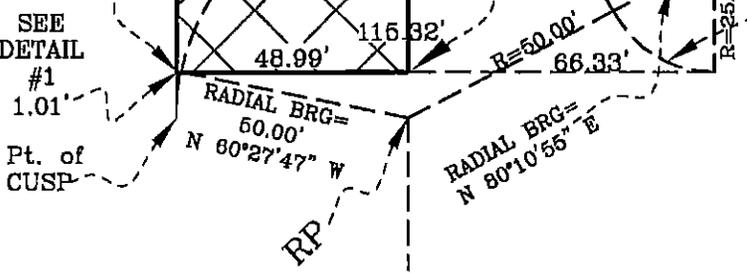


DETAIL - 2  
 SCALE: 1"=40'

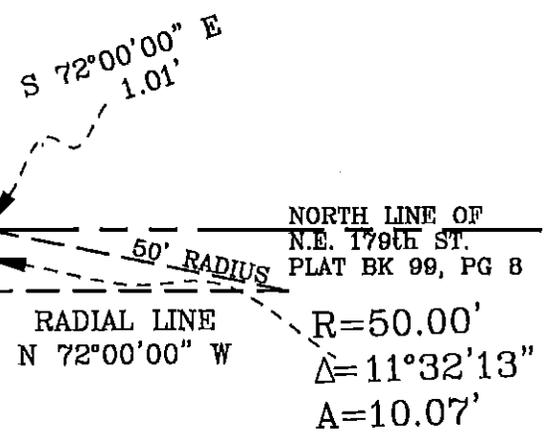
SQ.FT.=8,730.35'  
 R=25.00'  
 $\Delta=62^{\circ}10'55''$   
 A=27.13'

DETAIL - 1  
 VACATE/CLOSURE  
 SQ.FT.= 3.35'

P.O.B.  
 No. 1  
 SEE  
 DETAIL  
 #1  
 1.01'  
 Pt. of  
 CUSP



EAST LINE OF BLOCK 5  
 PLAT BOOK 3, PAGE 197  
 1.01'  
 Pt. of  
 CUSP



THIS IS A SPECIAL PURPOSE SURVEY

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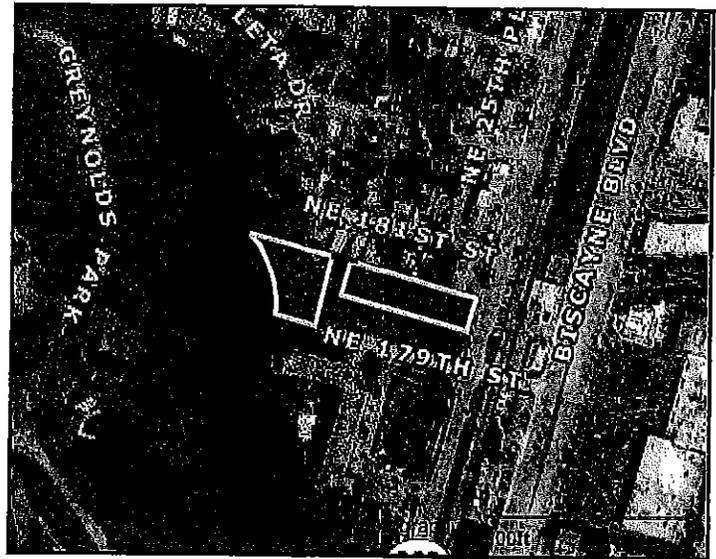


# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 2/23/2015

Property Information	
Folio:	30-2209-010-0010
Property Address:	17990 W DIXIE HWY
Owner	AVENTURA VLGE LLC
Mailing Address	230 PALERMO AVE CORAL GABLES , FL 33134-6606
Primary Zone	6400 COMMERCIAL - CENTRAL
Primary Land Use	1081 VACANT LAND - COMMERCIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	103,940 Sq.Ft
Year Built	0



Assessment Information			
Year	2014	2013	2012
Land Value	\$2,338,650	\$1,870,920	\$1,870,920
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$2,338,650	\$1,870,920	\$1,870,920
Assessed Value	\$2,058,012	\$1,870,920	\$1,870,920

Taxable Value Information			
	2014	2013	2012
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$2,058,012	\$1,870,920	\$1,870,920
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$2,338,650	\$1,870,920	\$1,870,920
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$2,058,012	\$1,870,920	\$1,870,920

Benefits Information				
Benefit	Type	2014	2013	2012
Non-Homestead Cap	Assessment Reduction	\$280,638		

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
10/01/2003	\$1,649,000	21779-4833	2008 and prior year sales; Qual by exam of deed
11/01/1999	\$675,000	18882-0838	2008 and prior year sales; Qual by exam of deed
07/01/1989	\$365,000	14205-0365	2008 and prior year sales; Qual by exam of deed

Short Legal Description
9 52 42 2.39 AC
J WIVES SUB PB 3-197
LOTS 5-6-19-20 BLK 2 & LOTS 5
THRU 8 & 17 THRU 20 BLK 5 & ALLEY
& IN SAME RIP RTS

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

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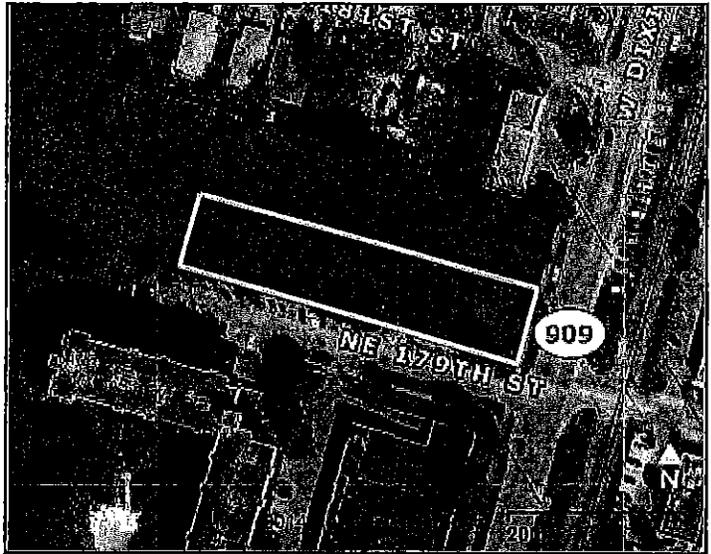


# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 2/23/2015

Property Information	
Folio:	30-2209-010-0030
Property Address:	
Owner	AVENTURA VILLAGE
Mailing Address	230 PALERMO AVE CORAL GABLES , FL 33134-6606
Primary Zone	6400 COMMERCIAL - CENTRAL
Primary Land Use	1081 VACANT LAND - COMMERCIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	29,186 Sq.Ft
Year Built	0



Assessment Information			
Year	2014	2013	2012
Land Value	\$656,685	\$525,348	\$525,348
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$656,685	\$525,348	\$525,348
Assessed Value	\$577,882	\$525,348	\$525,348

Benefits Information				
Benefit	Type	2014	2013	2012
Non-Homestead Cap	Assessment Reduction	\$78,803		

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
9 52 42 .87 AC
J W IVES SUB PB 3-197 0
BEG 45FTW OF NE COR OF SEC TH
SW1100FT A/K/A TRACT I OF
DIANA COURTS DB 3822-442

Taxable Value Information			
	2014	2013	2012
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$577,882	\$525,348	\$525,348
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$656,685	\$525,348	\$525,348
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$577,882	\$525,348	\$525,348

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
11/01/1987	\$0	00000-00000	Qual by exam of deed
12/01/1986	\$280,000	13163-2172	2008 and prior year sales; Qual by exam of deed
12/01/1980	\$275,000	10949-1266	2008 and prior year sales; Qual by exam of deed

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Version:

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