

# MEMORANDUM

Agenda Item No. 8(N)(3)

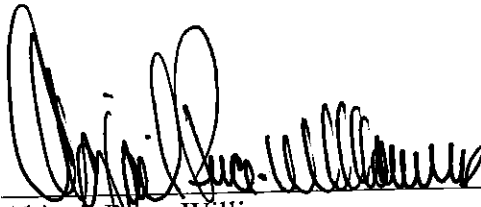
**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** April 10, 2018

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

**SUBJECT:** Resolution designating portions of Miami-Dade County owned property identified as Parcel 16 and Parcel 17 as road right-of-way for the NW 97 Avenue between NW 70 Street and NW 74 Street road Improvements Project, in Section 16 and Section 17, Township 53 South, Range 40 East and directing County Mayor to take all actions necessary to effectuate same

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

  
Abigail Price-Williams  
County Attorney

APW/smm

# Memorandum



**Date:** April 10, 2018

**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the name in the "From:" field.

**Subject:** Resolution Designating Portions of Miami-Dade County Owned Property Identified as Parcel 16 and Parcel 17 as Road Right-of-Way for the NW 97 Avenue Between NW 70 Street and NW 74 Street Road Improvement Project, in Section 16 and Section 17, Township 53 South, Range 40 East

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## **RECOMMENDATION**

It is recommended that the Board of County Commissioners (Board) approve the attached Resolution designating portions of Miami-Dade County (County) owned property identified as Parcel 16 and Parcel 17, at the intersection of NW 97 Avenue and NW 74 Street, as road right-of-way in Sections 16 and 17, Township 53 South, Range 40 East.

## **SCOPE**

The subject property is located within District 12, which is represented by Commissioner José "Pepe" Diaz.

## **FISCAL IMPACT**

There is an increase of the maintenance cost of approximately \$100 annually associated with this action since these parcels will be added to the County's Road System, which will be funded by District 1 Road Impact Fees (RIF).

## **TRACK RECORD/MONITOR**

The Department of Transportation and Public Works (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**

On January 22, 2014, through Resolution R-48-14, the County entered into a Joint Partnership Agreement with the City of Doral (City) to improve this subject road. Since May 27, 2016 the road has been completed and open to public use under the control, jurisdiction and responsibility of the County. The improved road consists of four lanes, with street lighting, a storm drainage system, pavement markings, signing, sidewalks, and curb and gutter. DTPW, the Department of Solid Waste Management, and the City agree upon the public benefits derived from the use of the road. It is therefore recommended that the portions of County-owned property that are described in Exhibit "A" and depicted in Exhibit "B" be designated as road right-of-way.

A handwritten signature in black ink, appearing to read "Alina T. Hudak", written over the name in the signature line.

Alina T. Hudak  
Deputy Mayor

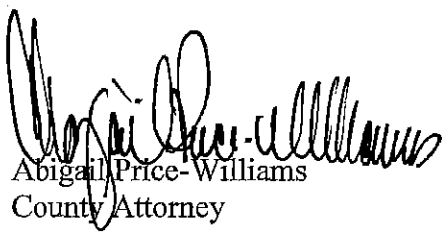


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** April 10, 2018

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

**SUBJECT:** Agenda Item No. 8(N)(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
- ☐ 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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(N)(3)  
4-10-18

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

RESOLUTION DESIGNATING PORTIONS OF MIAMI-DADE COUNTY OWNED PROPERTY IDENTIFIED AS PARCEL 16 AND PARCEL 17 AS ROAD RIGHT-OF-WAY FOR THE NW 97 AVENUE BETWEEN NW 70 STREET AND NW 74 STREET ROAD IMPROVEMENTS PROJECT, IN SECTION 16 AND SECTION 17, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

**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 Directors of the Departments of Transportation and Public Works and Solid Waste Management have recommended that a portion of County-owned land identified as Parcel 16 and Parcel 17 (the "County Property") be designated as road right-of-way to be used for the project entitled "Improvements to NW 97 Avenue from NW 70 Street to NW 74 Street" as shown in Exhibits "A" and "B," and as incorporated herein by reference; and

**WHEREAS**, the City of Doral has requested from the Departments of Transportation and Public Works and Solid Waste Management, that the County Property be designated as road right-of-way,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** This Board incorporates and adopts the foregoing recitals.

**Section 2.** This Board hereby designates the County Property located at the intersections of NW 74 Street and NW 97 Avenue, as road right-of-way, and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate same.

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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 10<sup>th</sup> day of April, 2018. 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.



Debra Herman

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# EXHIBIT "A"

## LEGAL DESCRIPTION

### Parcel 16

That Portion of the NW 1/4 of the NW 1/4 of the NW 1/4 of Section 16, Township 53 South, Range 40 East Miami Dade County, Florida which lies within the external area formed by a 42 foot radius curve concave to the Southeast, tangent to the East line of the West 55 feet and tangent to the South line of the North 63 feet of said Section 16.

AND

### Parcel 17

That Portion of Tract 1, Section 17, Township 53 South, Range 40 East Miami Dade County, Florida which lies within the external area formed by a 42 foot radius curve concave to the Southwest, tangent to the West line of the East 40 feet and tangent to the South line of the North 63 feet of said Section 17, as delineated upon, FLORIDA FRUIT LAND COMPANY SUBDIVISION, according to the plat thereof as recorded in Plat Book 2, Page 17 of the Public Records of Miami Dade County, Florida.



**DTPW**

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
MIAMI-DADE COUNTY DEPARTMENT  
OF TRANSPORTATION AND PUBLIC WORKS  
RIGHT-OF-WAY DIVISION  
ENGINEERING SECTION

PARCELS 16 & 17  
NW 97 Ave.  
(From NW 70 St. to NW 74 St.)

SCALE: 1"=40'	DATE: 12-18-17
CHECKED BY: J. Tirado	
DRAWN BY: L. Espinosa	
PROJECT: 20140080	SHEET: 1 of 2

# EXHIBIT "B"

SEC 16&17  
TWP 53 S  
RGE 40 E

NW 74TH STREET

N89°39'26"E

N89°34'53"E

NORTH LINE SEC. 17

NORTH LINE SEC. 16

63.0'

63.0'

L2

L3

17

16

TRACT 1  
SEC. 17-53-40  
FLORIDA FRUIT LAND  
COMPANY SUBDIVISION  
P.B. 2, PG. 17

NOT SUBDIVIDED  
PORTION OF NW 1/4  
SEC. 16-53-40

Line	Bearing	Distance
1	N 1° 44' 58" W	40.98'
2	S 89° 39' 26" W	40.98'

Line	Bearing	Distance
3	S 89° 34' 53" W	42.99'
4	S 1° 44' 58" E	42.99'

Curve	Delta Angle	Radius	Arc
1	88°35'36"	42.00'	64.94'

Curve	Delta Angle	Radius	Arc
2	91°19'51"	42.00'	66.95'

EAST LINE SEC. 17-53-40

WEST LINE SEC. 16-53-40

NW 97TH AVENUE

N1°44'58"W

40.0'

55.0'

## LEGEND

### PARCEL 16

FOLIO: 30-3016-000-0010  
PARCEL AREA: 400 SQ. FT.

### PARCEL 17:

FOLIO: 35-3017-001-0120  
PARCEL AREA: 357 SQ. FT.

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.

	BOUNDARY LINE
	CENTER LINE
	RIGHT-OF-WAY LINE
	PROPERTY LINE
(R)	RADIUS
(L)	LENGTH
(Δ)	DELTA
SEC	SECTION
TWP	TOWNSHIP

	AREA TO BE ACQUIRED
CL	CENTER LINE
R/W	RIGHT OF WAY
C1	CURVE NUMBER
L1	LINE NUMBER
P.B.	PLAT BOOK
PG.	PAGE
RGE	RANGE

MIAMI-DADE

DTPW

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
MIAMI-DADE COUNTY DEPARTMENT  
OF TRANSPORTATION AND PUBLIC WORKS  
RIGHT-OF-WAY DIVISION  
ENGINEERING SECTION

PARCELS 16 & 17  
NW 97 Ave.  
(From NW 70 St. to NW 74 St.)

SCALE: 1"=40'	DATE: 12-18-17
CHECKED BY: J. Tirado	
DRAWN BY: L. Espinosa	
PROJECT: 20140080	SHEET: 2 of 2