

MEMORANDUM

TC
Agenda Item No. 3(C)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: June 8, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution declaring the acquisition of the designated property known as Parcel 1 for the road widening, beautification, and right-of-way improvements to SW 268 Street from US-1 to SW 139 Avenue to be a public necessity; authorizing the County Mayor and the County Attorney to take any and all appropriate actions to accomplish acquisition of the subject property in fee simple, by negotiation, donation, right-of-way designation, or purchase at values established by appraisals or tax assessed values, whichever is the higher of the two, together with reasonable attorneys' fees and costs pursuant to sections 73.091 and 73.092, Florida Statutes, or by eminent domain court proceedings including declarations of taking, as necessary; and authorizing the County Mayor to make an additional incentive offer to purchase Parcel 1 in a total amount not to exceed 15 percent over the appraised value

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Vice Chairman Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/ks

MDC001

Memorandum



Date: July 21, 2026

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Resolution Declaring the Acquisition of the Designated Property Known as Parcel 1 to be a Public Necessity for the Project Entitled Improvements to SW 268 Street from US-1 to SW 139 Avenue

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant approval for the County Mayor or the County Mayor's designee to acquire certain right-of-way necessary for the SW 268 Street Improvement Project located on SW 268 Street between US-1 and SW 139 Avenue. The project consists of reconstructing and widening SW 268 Street. Moreover, the project's scope includes several infrastructure improvements such as sidewalks, curbs and gutters, continuous stormwater drainage system, pavement markings and signage, signalization, lighting, new bicycle facilities and Water and Sewer Department (WASD) utility improvements.

Recommendation

It is recommended that the Board approve the attached resolution declaring the acquisition of Parcel 1 to be a public necessity for the road widening, beautification, and right-of-way improvements to SW 268 Street from US-1 to SW 139 Avenue. The resolution authorizes the County Mayor or the County Mayor's designee and the County Attorney to employ appraisers and expert witnesses; to obtain environmental audits; and to take any and all appropriate actions to acquire the subject parcel in fee simple, either by negotiation, donation, right-of-way designation, or by purchase at values established by appraisals or tax assessed values, whichever is higher of the two. The resolution also authorizes the County Mayor or the County Mayor's designee to make an additional incentive offer for a total amount not to exceed 15 percent over the appraised value, together with reasonable attorney fees and costs, pursuant to Sections 73.091 and 73.092 of the Florida Statutes, or by eminent domain court proceedings, including a declaration of taking as necessary for and on behalf of Miami-Dade County.

Scope

The impact of this project is countywide; however, it is located within District 9, which is represented by Vice Chairman Kionne McGhee.

Fiscal Impact/Funding Source

The funding required for the design, construction, Construction Engineering & Inspection (CEI), and right-of-way acquisition of this project is estimated at \$12,739,000 and will be funded through the following source:

| Program | County Budget | Funding Source(s) |
|---|--|--------------------------|
| ROAD WIDENING COUNTYWIDE 2000000540 | FY25-26 Adopted Budget & Multi-Year Capital Plan, Volume 2, Page 158 | MOBILITY IMPACT FEES |

Upon completion of the project, the annual maintenance and operational costs of the project will be approximately \$5,764.99, which will be funded by the Department of Transportation and Public Works's (DTPW) General Fund allocation.

Track Record / Monitor

DTPW is the entity overseeing this item and the person responsible for monitoring the project is Javier M. Bustamante, Assistant Director, Transit Project Management & Support Services.

Delegated Authority

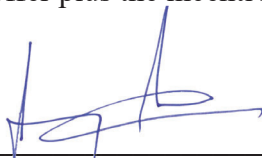
The resolution delegates authority to the County Mayor or the County Mayor's designee and the County Attorney to take any and all appropriate actions to acquire the subject parcel in fee simple and to record the instruments of conveyances accepted herein in the Public Records of Miami-Dade County. The County Mayor's designee is further authorized to issue an incentive offer to purchase Parcel 1 in a total amount not to exceed 15 percent over the appraised value of Parcel 1.

Background

The SW 268 Street Improvement Project consists of road reconstruction, widening, milling and resurfacing, new drainage, new curb and gutter, new sidewalks, signalization improvements, new pavement markings and signage, new lighting, new bicycle facilities and WASD utility improvements.

The area to be acquired by DTPW for the street improvements is legally described in Exhibit "A" and illustrated in the parcel location map set forth in Exhibit "B", both of which are attached to the resolution. These improvements will improve traffic mobility and improve drainage along SW 268 Street from US-1 to SW 139 Avenue.

In order to reduce project time and cost, and to avoid the expense of potential litigation, it is recommended that the County Mayor or the County Mayor's designee be granted authorization to issue an incentive offer added to the initial offer to purchase Parcel 1. The total amount of the initial offer plus the incentive offer shall be no more than 15 percent over the appraised value of Parcel 1.




Jimmy Morales
Chief Operating Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 21, 2026

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No.

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**
- _____ **Requires more than a majority vote (i.e., 2/3’s present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) _____) 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.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL 1 FOR THE ROAD WIDENING, BEAUTIFICATION, AND RIGHT-OF-WAY IMPROVEMENTS TO SW 268 STREET FROM US-1 TO SW 139 AVENUE TO BE A PUBLIC NECESSITY; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE, BY NEGOTIATION, DONATION, RIGHT-OF-WAY DESIGNATION, OR PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR TAX ASSESSED VALUES, WHICHEVER IS THE HIGHER OF THE TWO, TOGETHER WITH REASONABLE ATTORNEYS' FEES AND COSTS PURSUANT TO SECTIONS 73.091 AND 73.092, FLORIDA STATUTES, OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO MAKE AN ADDITIONAL INCENTIVE OFFER TO PURCHASE PARCEL 1 IN A TOTAL AMOUNT NOT TO EXCEED 15 PERCENT OVER THE GREATER OF THE APPRAISED VALUE OR TAX ASSESSED VALUE OF PARCEL 1

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying County Mayor's memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, this Board finds and declares the acquisition in fee simple of the property known as Parcel 1 as legally described in Exhibit "A" and shown on the project location map in Exhibit "B" attached hereto and made a part hereof, for the public purpose of constructing road improvements to SW 268 Street from US-1 to SW 139 Avenue, to be required and necessary to accomplish such improvements; and

WHEREAS, Miami-Dade County is authorized under the Constitution and Laws of Florida, including Chapters 73, 74, 125, 127 and 341, Florida Statutes, and Sections 1.01 (A) (1), (2) and (21), of the Home Rule Charter of Miami-Dade County, to acquire said property by eminent domain proceedings,

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

Section 1. This Board ratifies and adopts these matters set forth in the foregoing recitals.

Section 2. This Board finds and declares that the acquisition of the subject parcel, as legally described in Exhibit “A” attached hereto and incorporated herein by reference, is needed for the public purpose of constructing improvements to SW 268 Street from US-1 to SW 139 Avenue.

Section 3. This Board authorizes and directs the County Mayor or County Mayor’s designee and County Attorney to employ appraisers and expert witnesses; obtain environmental audits; and take any and all appropriate actions to acquire the subject parcel, as legally described in Exhibit “A” in fee simple; and provide compensation to all interested parties for such acquisition including any business thereon, either by negotiation, donation, right-of-way designation, or by purchase at value established by appraisals or tax assessed value, whichever is the higher of the two, together with reasonable attorney’s fees and costs pursuant to sections 73.091 and 73.092, Florida Statutes, or eminent domain court proceedings including a declaration of taking as necessary for and on behalf of Miami-Dade County. To potentially reduce project time and to avoid the expense of litigation, the County Mayor or County Mayor’s designee is further authorized to issue an incentive offer to purchase Parcel 1, in a total amount not to exceed 15 percent over the greater of the appraised value or tax assessed of Parcel 1.

Section 4. Pursuant to Resolution R-974-09, this Board directs the County Mayor or County Mayor's designee to record the instruments of conveyances accepted herein in the Public Records of Miami-Dade County, Florida and provide a recorded copy of the instrument to the Clerk of the Board within 30 days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy of said instruments 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:

| | |
|---------------------------------|------------------------|
| Anthony Rodríguez, Chairman | |
| Kionne L. McGhee, Vice Chairman | |
| Marleine Bastien | Juan Carlos Bermudez |
| Sen. René García | Oliver G. Gilbert, III |
| Roberto J. Gonzalez | Keon Hardemon |
| Danielle Cohen Higgins | Vicki L. Lopez |
| Natalie Milian Orbis | Raquel A. Regalado |
| Micky Steinberg | |

The Chairperson thereupon declared this resolution duly passed and adopted this 21st day of July, 2026. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

DJT

Daniel J. Thwaites

Exhibit "A"

PARCEL 1

LEGAL DESCRIPTION:

All that portion of land lying in the northeast quarter of Section 34, Township 56 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of the Northwest quarter of the Northeast quarter of Section 34, Township 56 South, Range 39 East; thence run N88°57'17"E a distance of 754.59 feet; thence run N00°58'43"W a distance of 35.00 feet to the north right-of-way line of SW 268th/ Street (Moody Drive), said point also being the **POINT OF BEGINNING** of the herein described parcel of land; thence run N01°17'16"W a distance of 15.00 feet; thence run S46°04'14"E a distance of 4.03 feet; thence run N89°04'25"E a distance of 168.68 feet; thence N01°02'49"W a distance of 3.00 feet; thence run N89°04'25"E a distance of 26.49 feet; thence run S89°02'52"E a distance of 6.21 feet to the west right-of-way line of canal C-103 as it is described in Official Records Book 5680 Page 94; thence run S01°14'01"E along said canal right-of-way line a distance of 14.44 feet to the north right-of-way line of SW 268th Street (Moody Drive; thence run S88°55'46"W along the last described right-of-way line a distance of 204.22 feet to the **POINT OF BEGINNING**.

Containing 2,531 square feet or 0.058 acres more or less.

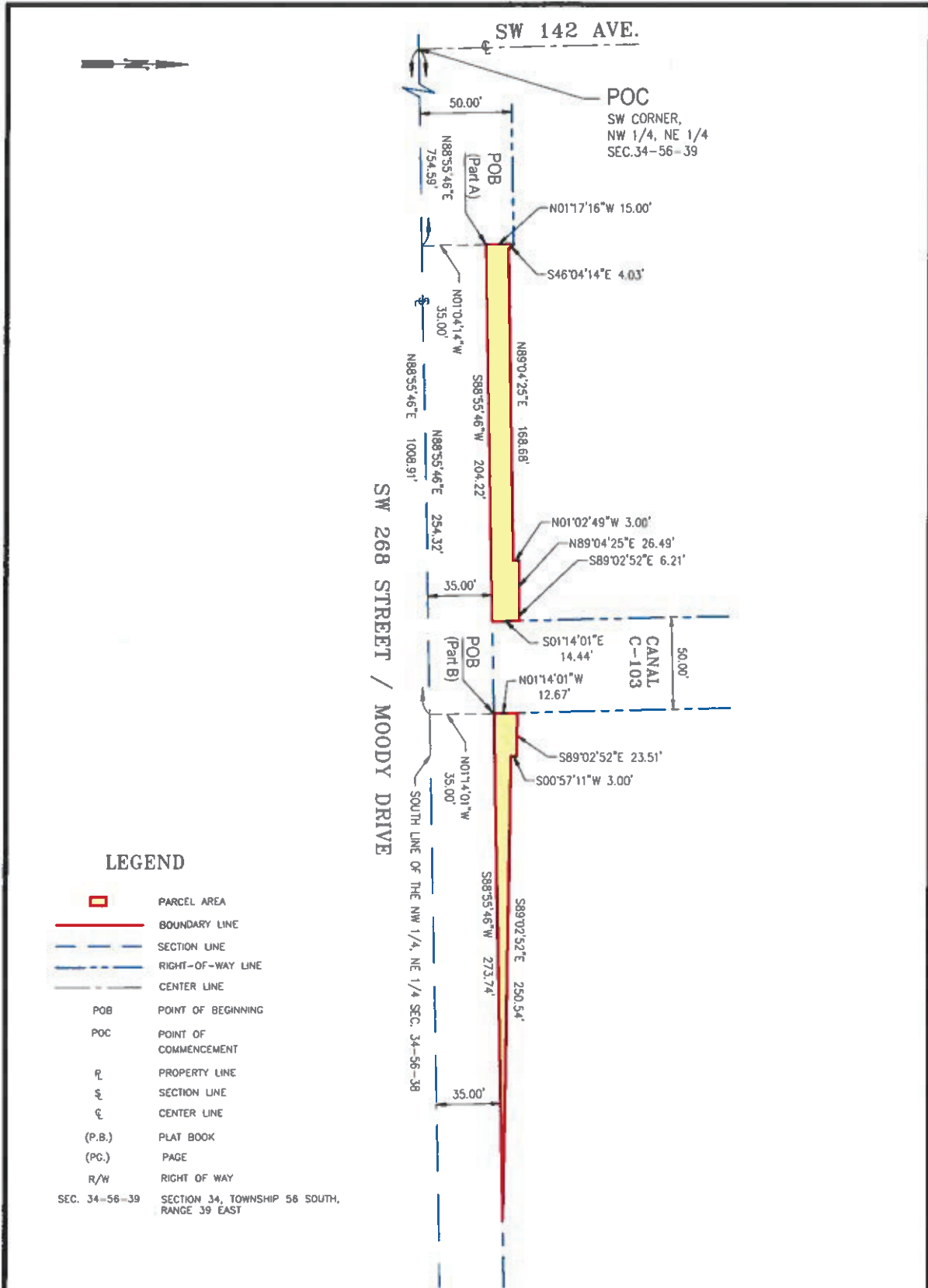
AND

COMMENCE at the Southwest corner of the Northwest quarter of the Northeast quarter of Section 34, Township 56 South, Range 39 East; thence run N88°57'17"E a distance of 1008.85 feet; thence run N01°02'43"W a distance of 35.00 feet to the North right-of-way line of SW 268th/ Street (Moody Drive), said point also being the **POINT OF BEGINNING** of the herein described parcel of land; thence run N01°14'01"W along the east right-of-way line of Canal C-103 as it is described in Official Records Book 5680 Page 94 for a distance of 12.67 feet; thence run S89°02'53"E a distance of 23.51 feet; thence S00°57'11"W for a distance of 3.00 feet; thence run S89°02'52"E a distance of 250.54 feet to the north right-of-way line of SW 268th/ Street, (Moody Drive); thence run S88°55'46"W along said right-of-way line a distance of 273.74 feet to the **POINT OF BEGINNING**.

Containing 1,394 square feet or 0.032 acres more or less.

Total area: 3,925 square feet or 0.090 acres more or less.

Exhibit "B"



LEGEND

- PARCEL AREA
- BOUNDARY LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- P PROPERTY LINE
- § SECTION LINE
- ℄ CENTER LINE
- (P.B.) PLAT BOOK
- (P.C.) PAGE
- R/W RIGHT OF WAY
- SEC. 34-56-39 SECTION 34, TOWNSHIP 56 SOUTH, RANGE 39 EAST

Area of Parent Tract = 570,473 square-feet = 13.086 acres
 Area of Parcel = 3,925 square-feet = 0.090 acres

Folios No: 30-6934-000-0060, 0061
 Section: 34-56-39

THIS IS NOT A SURVEY

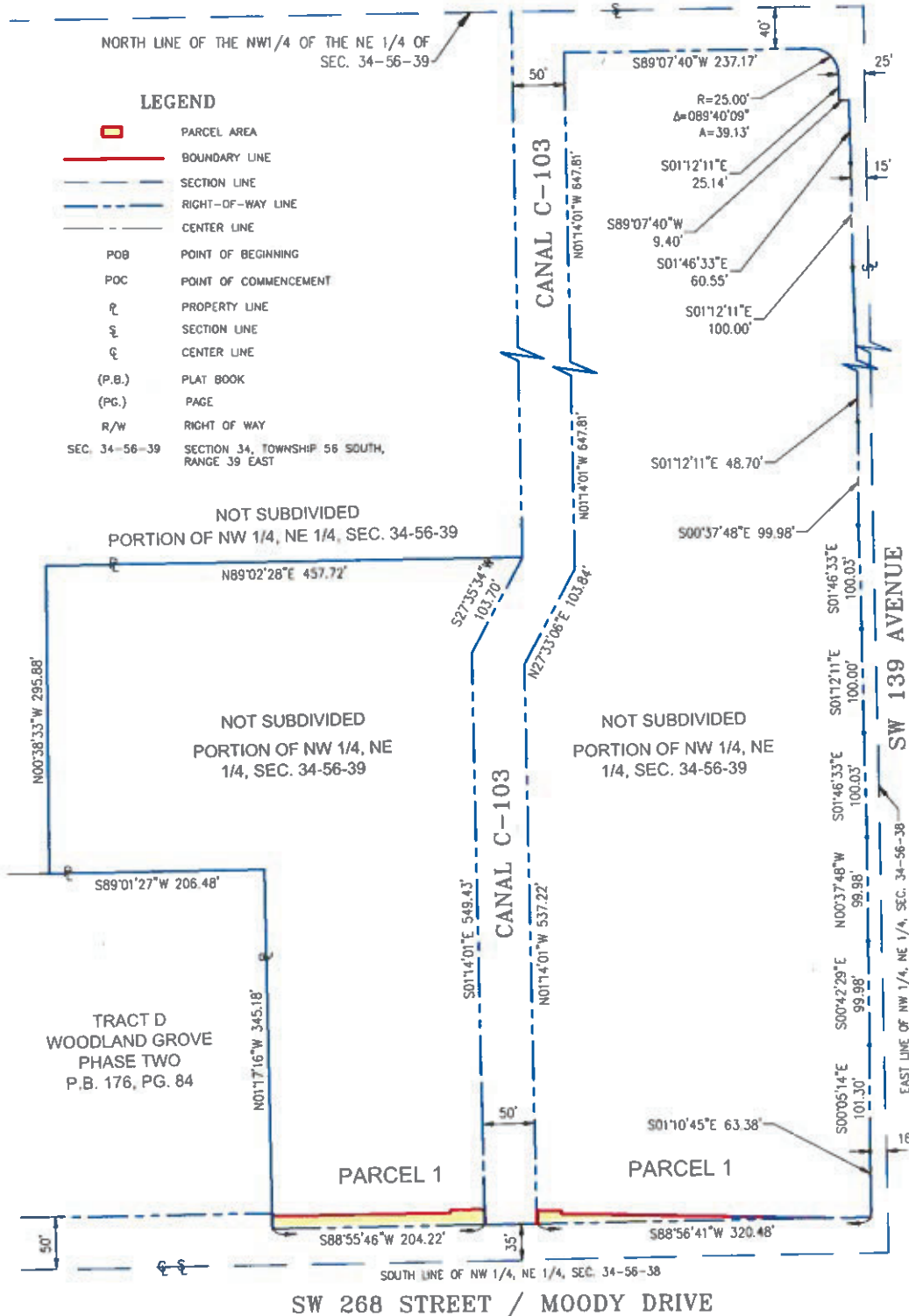
| | | |
|---------------|--|---|
| | MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS RIGHT-OF-WAY DIVISION ENGINEERING SECTION | |
| | SW 268 STREET (From US1 to SW 139 Ave.) | SCALE: 1" = 50' DATE: 06-03-25 CHECKED BY: C. GARCIA DRAWN BY: L. ESPINOSA PROJECT: 20210023 SHEET: 1 OF 2 |
| PARCEL SKETCH | PARCEL NO. 1 | |

SW 264 STREET / BAUER DRIVE

NORTH LINE OF THE NW 1/4 OF THE NE 1/4 OF SEC. 34-56-39

LEGEND

- PARCEL AREA
- BOUNDARY LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- ℙ PROPERTY LINE
- ℙ SECTION LINE
- ℙ CENTER LINE
- (P.B.) PLAT BOOK
- (PG.) PAGE
- R/W RIGHT OF WAY
- SEC. 34-56-39 SECTION 34, TOWNSHIP 56 SOUTH, RANGE 39 EAST



Area of Parent Tract = 570,473 square-feet = 13.086 acres
 Area of Parcel = 3,925 square-feet = 0.090 acres

Folios No: 30-8934-000-0080, 0081
 Section: 34-56-39

THIS IS NOT A SURVEY



MIAMI-DADE COUNTY DEPARTMENT
 OF TRANSPORTATION AND PUBLIC WORKS
 RIGHT-OF-WAY DIVISION
 ENGINEERING SECTION

PARCEL SKETCH

SW 268 STREET
 (From US1 to SW 139 Ave.)
 PARCEL NO. 1

SCALE: 1" = 100' DATE: 06-03-25
 CHECKED BY: C. GARCIA
 DRAWN BY: L. ESPINOSA
 PROJECT: 20210023 SHEET: 2 OF 2