

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(P)(1)(C)
02-06-07

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

RESOLUTION NO. R-144-07

RESOLUTION ACCEPTING AN IMPLIED OFFER OF DEDICATION FOR A PORTION OF NW 11 STREET LYING BETWEEN NW 72 AVENUE AND 650 FEET WEST OF NW 72 STREET IN GOVERNMENT LOT 2, BETWEEN TOWNSHIP 53 AND 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA

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

WHEREAS, upon consideration of the Public Works Department's recommendation, the Board of County Commissioners of Miami-Dade County, Florida, finds and determines that the acceptance of this dedication is in the public's best interest,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves and accepts this implied offer of dedication, as described in Exhibit "A" and illustrated in the location map in Exhibit "B", and authorizes and directs the Public Works Department Director to cause this Resolution to be filed for record among the Public Records of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner Sally A. Heyman, who moved its adoption. The motion was seconded by Commissioner Joe A. Martinez and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	aye		
Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of February, 2007. 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: **KAY SULLIVAN**
Deputy Clerk

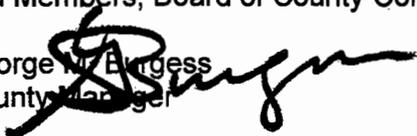
Approved by County Attorney as
to form and legal sufficiency: 

Thomas Goldstein

Date: February 6, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George W. Burgess
County Manager



Agenda Item No. 8(P)(1)(C)

Subject: Resolution Accepting an Implied Offer of Dedication for a Portion of NW 11 Street Lying Between NW 72 Avenue and 650 Feet West of NW 72 Avenue in Government Lot 2 Between Township 53 and 54 South, Range 40 East, Miami-Dade County, Florida

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution for the acceptance of an implied offer of dedication for a portion of NW 11 Street, lying between NW 72 Avenue and 650 feet west of NW 72 Avenue in Government Lot 2, between Township 53 and 54 South, Range 40 East, Miami-Dade County, Florida, as described in Exhibit "A" and illustrated in Exhibit "B" attached and made a part hereof.

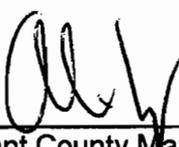
BACKGROUND

At the time that Herman Wolfson, Pauline Wolfson, Lester W. Sodowich and Helen Sodowich, conveyed their property, they expressed an implied offer to dedicate the North 10.00 feet of the said property for Road purposes as delineated in Exhibit "B" in a Warranty Deed dated September 23, 1974, and recorded in Official Record Book 8788, Page 1564, of the Public Records of Miami-Dade County, Florida. That deed made reference and is subject to a "Right-of-Way Deed dated February 8, 1973, executed by Prime Equities Inc. in favor of (Miami-) Dade County" however, the said Right-of-Way Deed was not found on the Public Records of Miami-Dade County. This oversight was discovered by the Public Works Department Right-of-Way Division in the course of its regular duties related to a road construction project in this area.

There is no information in the Public Records that would revoke or otherwise impair the implied offer of dedication. In order to protect the public's road easement, the Public Works Department recommends the acceptance of this right-of-way dedication.

FISCAL IMPACT

There is no fiscal impact associated with this item.



Assistant County Manager

1/3/07

Date



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 6, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 8(P)(1)(C)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

LEGAL DESCRIPTION
(FEE SIMPLE)

The North 10.00 feet of Lots 1, 2, 3 and 48 of Block 2, WOOD FARMS, according to the plat thereof recorded in Plat Book 43 at Page 49 of the Public Records of Miami-Dade County, Florida.

AND

All that part of said Lot 48 which lies within the external area formed by a 25 foot radius arc concave to the Southwest, tangent to the South line of the North 10.00 feet of said Lot 48, and tangent to the East line of said Lot 48.

EXHIBIT "B"

GOV' T LOT 02

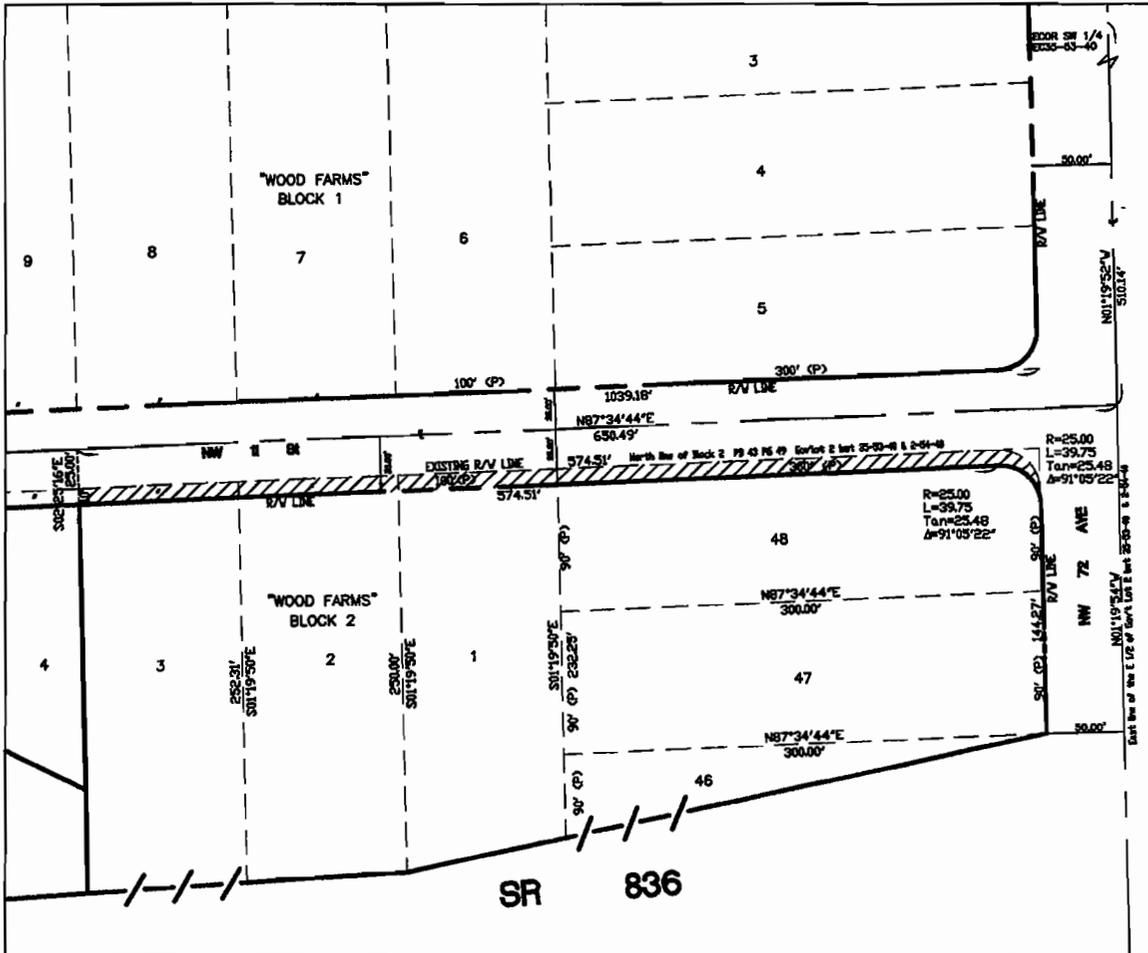
BET 53 & 54 S

RGE 40 E



LOCATION MAP

Not to Scale



NW 72 AVENUE and NW 11 STREET
Road Right-of-Way to be accepted

SCALE 1" = 120'
THIS IS NOT A SURVEY

6