Approved _____ Mayor

Veto _____

Override _____

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

06-05-07

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

RESOLUTION NO. R-688-07

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY OWNED PROPERTY AT KENDALL-TAMIAMI EXECUTIVE AIRPORT AS ROAD RIGHT-OF-WAY FOR SW 120 STREET IN SECTION 15, TOWNSHIP 55 SOUTH, RANGE 39 EAST; DIRECTING THE MAYOR OR DESIGNEE TO APPRAISE AND COMPENSATE THE AVIATION DEPARTMENT FOR THE VALUE OF THE PROPERTY AND TO COLLECT THE SAME AMOUNT FROM THE DEVELOPER INCLUDING THE COST OF SAID APPRAISAL

WHEREAS, the Directors of the Public Works and Miami-Dade County Aviation Departments have recommended that a portion of County owned land at the Kendall-Tamiami Executive Airport be designated as public road right-of-way, and the Mayor has concurred with said recommendation as outlined in the accompanying memorandum, a copy of which is attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that subject to approval by the Federal Aviation Administration, this Board hereby designates and declares a portion of Miami-Dade County owned property at Kendall-Tamiami Executive Airport, as public road right-of-way as described in attached Exhibit "A" and illustrated in Exhibit "B" and directs the Mayor or designee to conduct necessary appraisals of the property described herein and to compensate the Aviation Department of the fair market value of the subject property and to collect this amount from the Developer, as set forth in the accompanying memorandum from the County Manager.

c/

MEMORANDUM

(Revised)

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

DATE: June 5, 2007

FROM: Murray A. Greenberg
County Attorney

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

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**

The foregoing resolution was offered by Commissioner Sally A. Heyman, who moved its adoption. The motion was seconded by Commissioner Bruno A. Barreiro 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	absent	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	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 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

COUNTY COMMISSIONERS DADE COUNTY FLORIDA

By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas Goldstein

EXHIBIT "A"

November 28, 2006

LEGAL DESCRIPTION:

A portion of the Northeast 1/4 of Section 15, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 15; thence run South 86°34'54" West, along the North line of the Northeast 1/4 of said Section 15, for a distance of 435.01 feet to a point; thence run South 03°53'20" East, along a line 435.00 feet West of and parallel with the East line of the Northeast 1/4 of said Section 15, for a distance of 35.00 feet to the Point of Beginning of a parcel of land hereinafter described; thence run South 85°49'56" East for a distance of 75.75 feet to a point; thence run North 86°34'54" East, along a line 45.00 feet South of and parallel with the North line of the Northeast 1/4 of said Section 15, for a distance of 220.01 feet to a point; thence run South 03°53'20" East, along a line 140.00 feet West of and parallel with the East line of the Northeast 1/4 of said Section 15, for a distance of 5.00 feet to a point; thence run North 86°34'54" East, along a line 50.00 feet South of and parallel with the North line of the Northeast 1/4 of said Section 15, for a distance of 7.96 feet to a point of curvature with a circular curve concave to the Southwest; thence run Southeasterly along the arc of said circular curve to the right, having for its elements a radius of 40.00 feet and a central angle of 91°01'28", for an arc distance of 63.55 feet to a point of tangency with the Westerly right of way of SW 137th Avenue as shown on the Right of Way Map recorded in Plat Book 124 at Page 54, of the Public Records of Miami-Dade County, Florida; thence run North 02°23'38" West, along the said Westerly right of way line of SW 137th Avenue, for a distance of 10.00 feet to a point of curvature with a circular curve concave to the Southwest; thence run Northwesterly along the arc of said circular curve to the left, having for its elements a radius of 40.00 feet and a central angle of 91°01'28", for an arc distance of 63.55 feet to a point of tangency; thence run South 86°34'54" West, along a line 40.00 feet South of and parallel with the North line of the Northeast 1/4 of said Section 15, for a distance of 8.22 feet to a point; thence run North 03°53'20" West, along a line 140.00 feet West of and parallel with the East line of the Northeast 1/4 of said Section 15, for a distance of 5.00 feet to a point (the last mentioned four courses being coincident with the right of way as shown on the said SW 137th Avenue Right of Way Map); thence run South 86°34'54" West, along a line 35.00 feet South of and parallel with the North line of the Northeast 1/4 of said Section 15, for a distance of 295.01 feet to the Point of Beginning; containing 3,063 square feet more or less (0.070 acres more or less).

E.R. BROWNELL & ASSOCIATES, INC.

This Description and the accompanying Sketch are not valid without the signature and raised seal of a Florida Licensed Surveyor and Mapper.
This Description and the accompanying Sketch are not valid one without the other.

56591.doc

Memorandum MIAMI-DADE COUNTY

Date: June 5, 2007

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

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

From: George M. Burgess
County Manager

Subject: Resolution Designating a Portion of Miami-Dade County Owned Property at Kendall-Tamiami Executive Airport as Road Right-of-Way for SW 120 Street in Section 15-55-39

Recommendation

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution designating a portion of Miami-Dade County owned property at Kendall-Tamiami Executive Airport as road right-of-way for SW 120 Street, in Section 15, Township 55 South, Range 39 East, Miami-Dade County, Florida. The property is under the jurisdiction of the Miami-Dade County Aviation Department ("MDAD") and is a portion of the Kendall-Tamiami Executive Airport. Release of the property described above as a public right-of-way is subject to approval by the Federal Aviation Administration ("FAA"). The Public Works and MDAD Directors support this resolution.

Scope

Kendall-Tamiami Executive Airport is located within Commission District 11.

Fiscal Impact/Funding Source

There is no Fiscal Impact on the County as a result of approving this resolution. Funding for this project will be provided by Century Business Park, LLC (the "Developer"), the developer of a recently approved residential community at the northeast corner of the intersection of SW 137 Avenue and SW 120 Street (the "Residential Project").

Miami-Dade County, Aviation Department will be compensated by the Developer for the value of the land being designated as right-of-way, at fair market value pursuant to an independent real estate appraisal. This designation is subject to review and approval by the FAA.

Track Record/Monitor

Not Applicable.

Background

The Residential Project was approved pursuant to Resolution Z-39-06 (the "Resolution"), which was adopted on November 9, 2006 by the BCC. The Resolution approved several zoning requests to permit the development of the Residential Project, consisting of four hundred and forty-six (446) dwelling units.

In connection with the Resolution, a Declaration of Restrictions, which was accepted and subsequently recorded at OR 25119, PG 0426 (the "Declaration"), provides that the Developer would be responsible for obtaining the necessary right-of-way and to design and build a dedicated right-turn lane from eastbound SW 120 Street to southbound SW 137 Avenue.

The proposed right-of-way designation (the "Designation") would permit the Developer to construct a right-turn lane on eastbound SW 120 Street onto SW 137 Avenue, in compliance with the above referenced Declaration and Resolution. It is a necessary component for the smooth transition of traffic entering SW 137 Avenue from SW 120 Street. This is a vital transportation corridor, connecting the Coral Reef and Kendall areas of southwest Miami-Dade County, as well as providing access to the proposed West Kendall Regional Park site. The Designation would facilitate a greater volume of traffic and ease the area's traffic congestion.

Assistant County Manager

Sketch No.: 56591

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

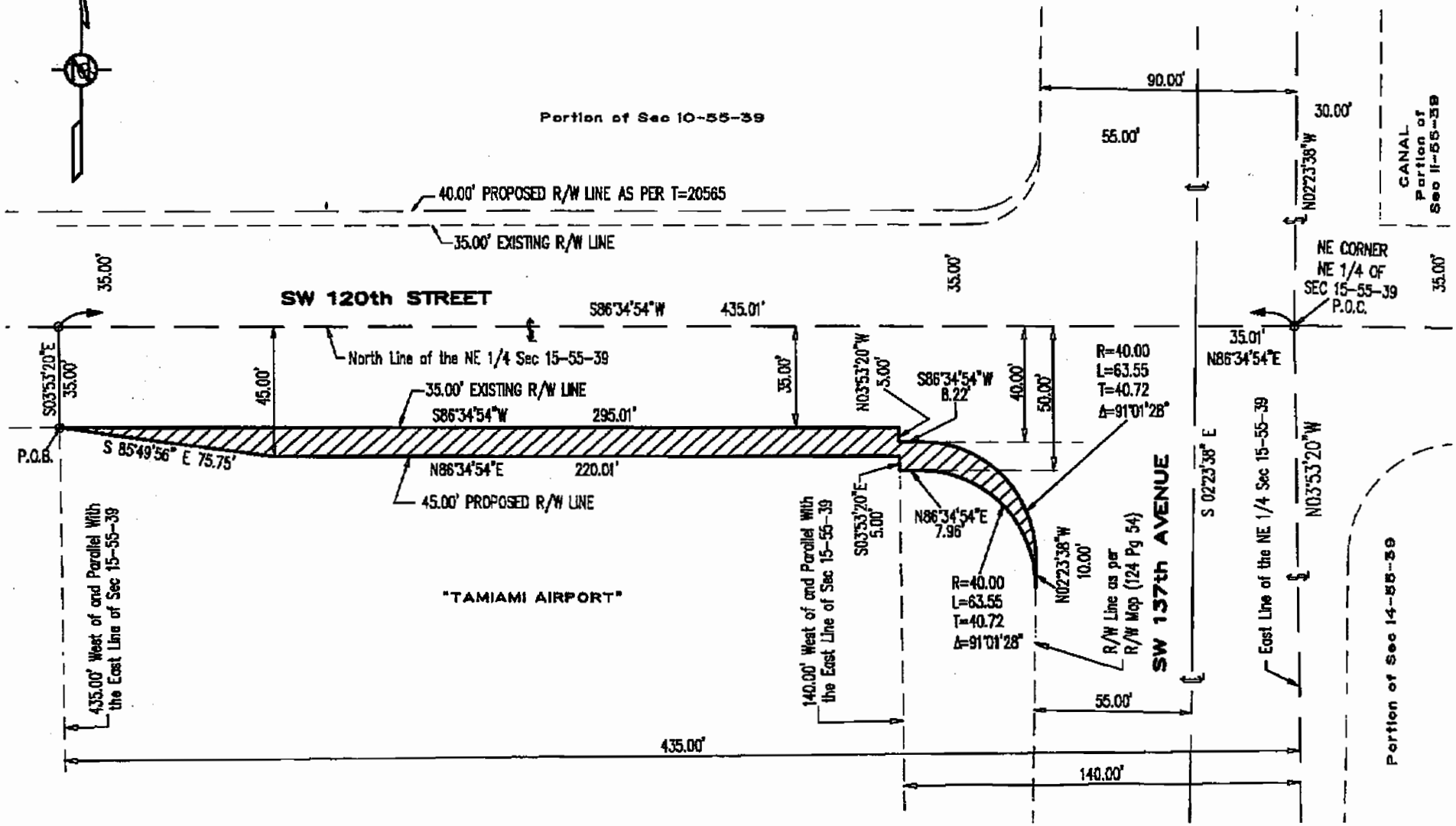

EXHIBIT "B"

Note._ this is Not a Boundary Survey

Prepared By: Thomas Brownell

Tamiami Airport

Scale: 1"=[illegible]	Job #: 56591	Draw By: AM	Date: 11-28-2006	Sketch No.: SM-2053

E.R. BROWNELL & ASSOC., INC.
CONSULTING ENGINEERS LAND SURVEYORS
3152 Coral Way Miami, Florida, 33145
305.446.3511 444.2034

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