Approved _____ Mayor

Veto _____

Override _____

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

07-10-07

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

RESOLUTION NO. R-797-07

RESOLUTION AUTHORIZING THE EXECUTION OF A COUNTY DISCLAIMER FOR THE RELEASE OF THE NORTH 25 FEET OF UNNEEDED CANAL MAINTENANCE EASEMENT, WITHIN LOT 3, BLOCK 30, OF SUNSET HARBOR SECTION V, A SUBDIVISION IN SECTION 26, TOWNSHIP 54 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 135, AT PAGE 39 OF THE PUBLIC RECORDS OF 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,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the release of the North 25 feet of unneeded canal maintenance easement, within Lot 3, Block 30, of SUNSET HARBOR SECTION V, a subdivision in Section 26, Township 54 South, Range 39 East, according to the plat thereof, as recorded in Plat Book 135, at page 39 of the Public Records of Miami-Dade County, Florida, and authorizes execution and recording of a Disclaimer by the Mayor in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Carlos A. Gimenez 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	absent
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 10th day of July, 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. PST

Peter S. Tell

Memorandum

MIAMI-DADE COUNTY

Date: July 10, 2007

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

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

From: George M. Burgess
County Manager

Subject: Resolution Authorizing the Execution of a County Disclaimer for the Release of the North 25 Feet of Unneeded Canal Maintenance Easement, Within Lot 3, Block 30, of SUNSET HARBOR SECTION V, a Subdivision in Section 26, Township 54 South, Range 39 East, According to the Plat Thereof, as Recorded in Plat Book 135, at Page 39 of the Public Records of Miami-Dade County, Florida (WC-856)

Recommendation
It is recommended that the Board approve the attached Resolution authorizing the execution of a County Disclaimer for the release of unneeded canal maintenance easement.

Scope
The release of the subject easement, located at 12895 S.W. 58 Lane, Commission District 10, shall have no countywide impact.

Fiscal Impact/Funding Source
N/A

Track Record/Monitor
N/A

Background
By virtue of the plat of SUNSET HARBOUR SECTION V, recorded in Plat Book 135 at Page 39 of the Public Records of Miami-Dade County, Florida, a 25-foot canal maintenance easement, as required by the Department of Environmental Resources Management for SW 60 Street Extension Canal, was dedicated to Miami-Dade County free of charge. This easement was intended for use in the maintenance of the adjacent canal, which is represented in the Water Control Master Plan as part of the County canal system. Ms. Lidia Rial, the owner of Lot 3, Block 30 of the aforesaid plat, whose property at 12895 SW 58 Lane is encumbered by said easement, is requesting its release.

The Public Works Department and the Department of Environmental Resources Management have reviewed this request and determined that the subject easement within the applicant's property is not needed in the maintenance of the adjacent canal. Therefore, the Department of Environmental Resources Management recommends approval of the attached County Disclaimer by the Board.

Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: July 10, 2007

FROM: R.A. Cuevas, Jr.
Acting County Attorney

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

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**

2

MIAMI-DADE COUNTY, FLORIDA, DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS that MIAMI-DADE COUNTY, a political subdivision of the State of Florida, does hereby give notice that it disclaims certain rights, title and interests for canal maintenance purposes which said MIAMI-DADE COUNTY has in the following described lands lying and being in Miami-Dade County, Florida, to wit:

> The North 25 feet of Lot 3, Block 30, of SUNSET HARBOR SECTION V, a subdivision in Section 26, Township 54 South, Range 39 East, according to the plat thereof, as recorded in Plat Book 135, at page 39 of the Public Records of Miami-Dade County, Florida.

This instrument was prepared by:

Walid Abusad of
Miami-Dade County Environmental
Resources Management
701 N.W. 1st Court, 6th Floor
Miami, Florida 33136

5

NOW, THEREFORE, MIAMI-DADE COUNTY DOES issue this disclaimer.

IN WITNESS WHEREOF MIAMI-DADE COUNTY FLORIDA, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor and the Clerk or Deputy Clerk of said Board on this the _____ day of _____, 20____.

ATTEST:

Sign: _____

Print: _____

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

Sign: _____

Print: Carlos Alvarez

Title: County Mayor

Address: 111 N.W. 1st Street
Metro-Dade Center
Miami, Florida 33128

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

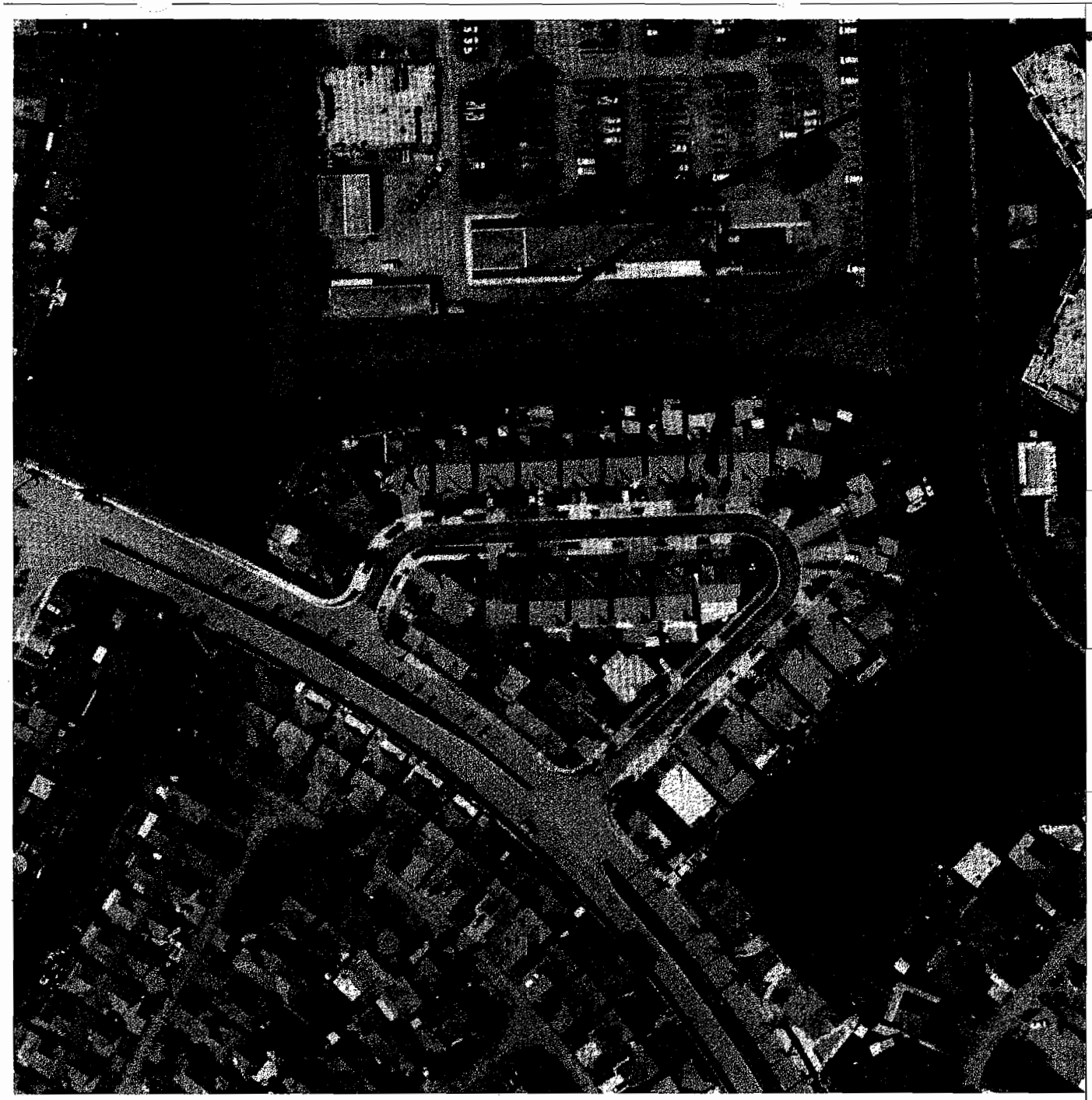
The foregoing instrument was acknowledged before me this ____ day of _____, 20___, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

NOTARY PUBLIC:

Sign _____

Print _____
STATE OF FLORIDA at large
(Seal)
My commission expires:_____

WC - 8?



X - APPLICANT
12895 SW 58 Ln.
lot 3 Block 30

lot 10 Block 30

Highways
Major Streets
Canvas
33
57

N

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SCALE: 1 inch = 150.58 Feet

4