Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(8)
07-10-07

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

RESOLUTION NO. R-832-07

RESOLUTION DECLARING THE ACQUISITION OF LAND REQUIRED FOR THE CONSTRUCTION OF A NEW FOUR-LANE ROAD ALONG NW 87 AVENUE, BETWEEN NW 154 STREET AND NW 162 STREET AND THE WIDENING OF THE EXISTING ROADWAY FROM TWO (2) LANES TO FOUR (4) LANES FROM NW 170 STREET TO NW 186 STREET TO BE A PUBLIC NECESSITY, AND TO EMPLOY APPRAISERS, EXPERT WITNESSES, OBTAIN REQUIRED ENVIRONMENTAL AUDITS, AND TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACQUIRE THE SUBJECT PROPERTY IN FEE SIMPLE BY DONATION, PURCHASE OR BY EMINENT DOMAIN PROCEEDINGS, INCLUDING A DECLARATION OF TAKING AS NECESSARY FOR AND ON BEHALF OF MIAMI-DADE COUNTY

WHEREAS, traffic congestion in Northwest Miami-Dade County is at a critical stage; and

WHEREAS, N.W. 87th Avenue is a major north-south corridor that will significantly relieve such traffic congestion; and

WHEREAS, the Public Works Department has programmed the construction of a new four-lane road along NW 87th Avenue, between NW 154 Street and NW 162 Street and the widening of the existing roadway from two (2) lanes to four (4) lanes from NW 170 Street to NW 186 Street; and

WHEREAS, the improvement will consist of the construction of a four-lane roadway, raised median, sidewalks, curb and gutters, continuous storm drainage system, traffic signalization and signage, pavement markings, and street lighting; and

WHEREAS, the entire funding for the right-of-way acquisition and of the construction of this project is provided by the Charter County Transit System Surtax Funds, People's Transportation Plan (PTP),

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board declares the acquisition in fee simple of the parcels of land; legally described in Exhibit "A" (Subject Properties) and shown in Exhibit "B"; necessary for the construction of a new four-lane road along NW 87 Avenue, between NW 154 Street and NW 162 Street and the widening of the existing roadway from two (2) lanes to four (4) lanes from NW 170 Street to NW 186 Street to be a public necessity and in the best interest of Miami-Dade County; and authorizes and directs the County Manager and the County Attorney to employ appraisers, review appraisers and expert witnesses, obtain required environmental audits, and to take any and all appropriate actions to acquire the subject property in fee simple by donation, purchase, or by eminent domain proceedings, including a declaration of taking as necessary, for and on behalf of Miami-Dade County.

The foregoing resolution was sponsored by Commissioner Natacha Seijas and offered by Commissioner Natacha Seijas, 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-Chairman 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	absent	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

4

The Chairman thereupon declared the resolution duly passed and adopted this 10th day of July, 2007. This resolution shall become effective as follows: (1) 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, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission reaffirms its award by two-thirds (2/3) vote of the commission's membership and such reaffirmation becomes final.

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

LEGAL DESCRIPTION

PARCEL 1 & 1A

The East 40.00 feet of the SE 1/4 of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida,

PARCEL 5

All those portions of Tracts 41 through 48, inclusive, of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1 of Section 15, Township 52 South, Range 40 East, Miami-Dade County, Florida, according to the plat thereof recorded in Plat Book 2 at Page 17 of the Public Records of Miami-Dade County, Florida, which lies within the West 40.00 feet of the SW 1/4 of said Section 15;

AND

All that part of said Tract 48, which lies within the East 26.16 feet of the West 66.16 feet of the North 35.00 feet of the SW 1/4 of said Section 15;

AND

All that part of said Tract 48 which lies within the external area formed by a 25.00 foot radius arc concave to the Southeast, tangent to the East line of the West 40.00 feet of the SW 1/4 of said Section 15, and tangent to the South line of the North 35.00 feet of the SW 1/4 of said Section 15;

PARCEL 10

All that part of the North 254.81 feet of Tract 5 of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1 of Section 9, Township 52 South, Range 40 East, Miami-Dade County, Florida, according to the plat thereof recorded in Plat Book 2 at Page 17 of the Public Records of Miami-Dade County, Florida, which lies within the East 40.00 feet of the NE 1/4 of said Section 9.

PARCEL 10A

MEMORANDUM

Agenda Item No. 11(A)(8)

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:**	Resolution relating to acquisition of land required for new four-lane road along N.W. 87th Avenue

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Natacha Seijas.

R. A. Cuevas, Jr.
Acting County Attorney

RAC/jls

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. 11(A)(8)

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

All that part of Tracts 1 through 4, inclusive, of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1 of Section 9, Township 52 South, Range 40 East, Miami-Dade County, Florida, according to the plat thereof recorded in Plat Book 2 at Page 17 of the Public Records of Miami-Dade County, Florida, which lies within the East 40.00 feet of the NE 1/4 of said Section 9, LESS all that part which lies within the North 100.00 feet thereof.

EXHIBIT ''A''

7

Project No. 671310
Parcel Numbers 1, 1A, 5, 10 & 10A

NOT A SURVEY

RIGHT-OF-WAY TO BE ACQUIRED

NOT TO SCALE

NW 87 AVENUE PROJECT NO. 671310

EXHIBIT "B"