

Date: April 8, 2008

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

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

From: George M. Burgess  
County Manager

Resolution No: R-346-08

Subject: Resolution Accepting an Implied Offer of Dedication for Portions of Existing  
County Roads known as SW 328 Street Lying East of SW 172 Avenue and SW  
172 Avenue lying North of SW 328 Street

**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 parcel of land comprised of a portion of SW 328 Street lying east of SW 172 Avenue and a portion of SW 172 Avenue lying north of SW 328 Street, in Section 18, Township 57 South, Range 39 East, Miami-Dade County, as described in Exhibit "A" and illustrated in "Exhibit B" attached and made a part hereof.

**Scope**

This parcel is located within Commission District 9 and in the municipality of Homestead.

**Fiscal Impact/Funding Source**

There is no fiscal impact associated with this item.

**Track Record/Monitor**

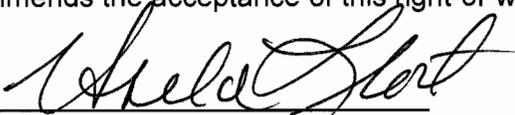
Not applicable.

**Background**

Walenty Pienkowski and Justyna Pienkowski, his wife, expressed an implied offer of dedication of 30 feet for road purposes in a conveyance dated June 9, 1970 and recorded on June 15, 1970 in Official Record Book 6887, Page 682, of the Public Records of this County.

Said dedication of 30 feet, as described in Exhibit "A" and illustrated in "Exhibit B," encompasses portions of County Roads in existence for more than 40 years, known as SW 328 Street (Lucy Street) lying east of SW 172 Avenue (McMinn Road), and SW 172 Avenue lying north of SW 328 Street.

There is no information in the Public Records that would revoke or otherwise impede 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.

  
Assistant County Manager



# MEMORANDUM

(Revised)

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

**DATE:** April 8, 2008

**FROM:**   
R. A. Cuevas, Jr.  
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



- (1) approves and accepts the implied offer of dedication of 30 feet, as described in Exhibit "A" and illustrated in the location map in Exhibit "B," both attached hereto and made a part hereof; and,
- (2) authorizes the Director of Public Works to cause this resolution to be recorded 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 **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 8<sup>th</sup> day of April, 2008. 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

**Kay Sullivan**

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Thomas Goldstein

## **LEGAL DESCRIPTION**

The South 30.00 feet and the West 30.00 feet of the South half (S. 1/2) of the Southwest quarter (SW 1/4) of the Southwest quarter (SW 1/4) of the Southeast quarter (SE 1/4) of Section 18, Township 57 South, Range 39 East, Miami-Dade County, Florida.

**EXHIBIT "A"**

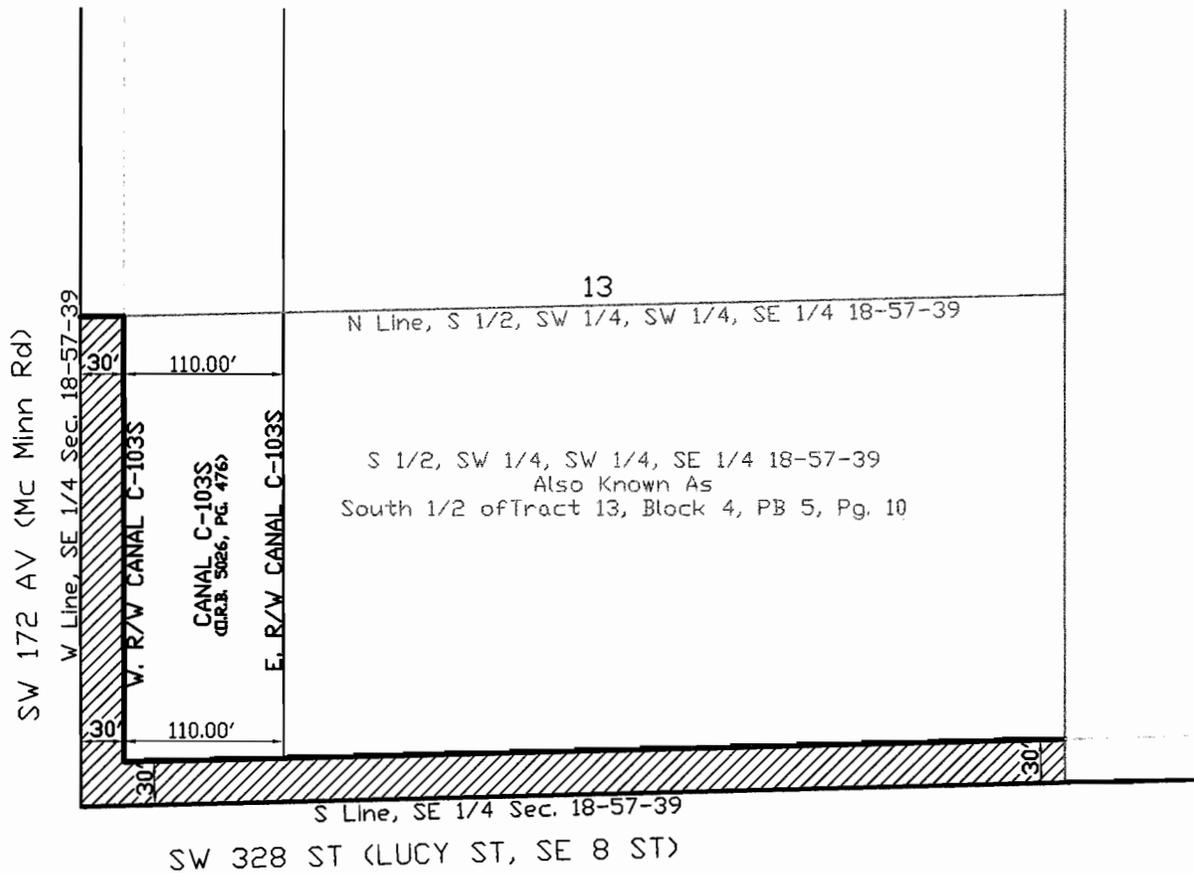
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SEC 18  
TWP 57 S  
RGE 39 E



LOCATION MAP Not to Scale



 IMPLIED OFFER OF RIGHT-OF-WAY DEDICATION

NOT A SURVEY  
SCALE Not To Scale

SW 328 STREET & SW 172 AVENUE

EXHIBIT "B"