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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: October 6, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

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

Resolution No. R-1162-09

Subject: Resolution Authorizing a Transfer of Jurisdiction to the Town of Medley, Approving the Official Right-of-Way Map for a Portion of NW 122 Street between NW 107 Avenue and NW 117 Avenue, and Authorizing the Recording Thereof Among the Public Records of Miami-Dade County, Florida

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Recommendation

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution authorizing a transfer of jurisdiction to the Town of Medley, approving the official Right-of-Way Map for a portion of NW 122 Street between NW 107 Avenue to NW 117 Avenue, and authorizing the recording thereof among the Public Records of Miami-Dade County, Florida. The Public Works Department (PWD) Director recommends approval of this jurisdictional transfer.

Scope

The portion of NW 122 Street to be transferred to the Town of Medley is located within Commission District 12.

Fiscal Impact/Funding Source

There is no fiscal impact associated with this transfer.

Track Record/Monitor

Not applicable.

Background

The Town of Medley has a project underway to replace the grade-crossing at NW 107 Ave/NW 122 Street of the existing Florida East Coast Railroad tracks with an elevated intersection (flyover ramp) to avoid a difficult crossing. The North half of the public road right-of-way is already under the jurisdiction of the Town of Medley. Therefore, in order to secure the right-of-way needed for the project under the same jurisdiction, the Town's Attorney formally requested a transfer of jurisdiction by mutual consent in a letter dated July 13, 2009 to the Miami-Dade County PWD Director for the South half of the public road right-of-way. The PWD Director has no objection with the aforementioned jurisdictional transfer and it is therefore recommended that the attached Road Right-of-Way Map be approved by the BCC, recorded in the Public Records of Miami-Dade County, Florida, after which it will be transferred to the Town of Medley.

Both the original tracing and the Mylar reproducible of the Road Right-of-Way Map are to be attested by the Deputy Clerk of the Board on behalf of the BCC and returned to the PWD for recording in the Public Records of Miami-Dade County, Florida.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: October 6, 2009

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

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

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(P)(1)(G)
10-6-09

RESOLUTION NO. **R-1162-09**

RESOLUTION AUTHORIZING A TRANSFER OF JURISDICTION TO THE TOWN OF MEDLEY, APPROVING THE OFFICIAL RIGHT-OF-WAY MAP FOR A PORTION OF NW 122 STREET BETWEEN NW 107 AVENUE AND NW 117 AVENUE, AND AUTHORIZING THE RECORDING THEREOF AMONG 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; and

WHEREAS, Miami-Dade County Public Works Department has recommended that an official Right-of-Way Map be approved and filed for record to transfer jurisdiction and ownership, pursuant to the provisions of Chapters 335.0415 and 337.29 of the Florida Statutes, to the Town of Medley,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby:

1. Approves the transfer of jurisdiction between Miami-Dade County (County) and the Town of Medley (Town), pursuant to Chapters 335.0415 and 337.29 of the Florida Statutes, providing for the Town to assume the jurisdiction, ownership, maintenance and control of that portion of NW 122 Street between NW 107 Avenue and NW 117 Avenue, being legally described in Exhibit "A" and depicted in Exhibit "B" of this resolution. This transfer of jurisdiction includes the rights and responsibilities of the Town to maintain the right-of-way infrastructure excepting traffic devices. The Town

assumes liability for these rights and responsibilities. The County shall retain responsibility for regulation of traffic and shall reserve the right to make any regulatory and design determinations appurtenant traffic control including but not limited to installation and/or regulation of traffic signals, signs, pavement markings, road closings and traffic calming measures.

2. Approves the official Right-of-Way Map for that portion of NW 122 Street between NW 107 Avenue and NW 117 Avenue being transferred.
3. Authorizes the Deputy Clerk of this Board to sign said Right-of-Way Map and affix thereto the Seal of this Board, for and behalf of Miami-Dade County; to cause said instrument to be recorded in the Public Records of Miami-Dade County, Florida.
4. Authorizes the Director of the Miami-Dade County Public Works Department to cause said recorded instrument to be delivered to the Town of Medley.

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

Dennis C. Moss, Chairman	**aye**		
Jose "Pepe" Diaz, Vice-Chairman	**aye**		
Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**absent**
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 October, 2009. 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas Goldstein

Miami-Dade County
Public Works Dept.

EXHIBIT "A"

NW 122 Street (NW 107 Ave to NW 117 Ave)
(ROAD TRANSFER)

All that part of **FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1** in Section 31, 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 North 15 feet of said Section 31, lying Easterly of the right of way for the Homestead Extension of the Florida's Turnpike as shown on the Florida State Department of Transportation Right of Way Map Section No. 87005-2312.

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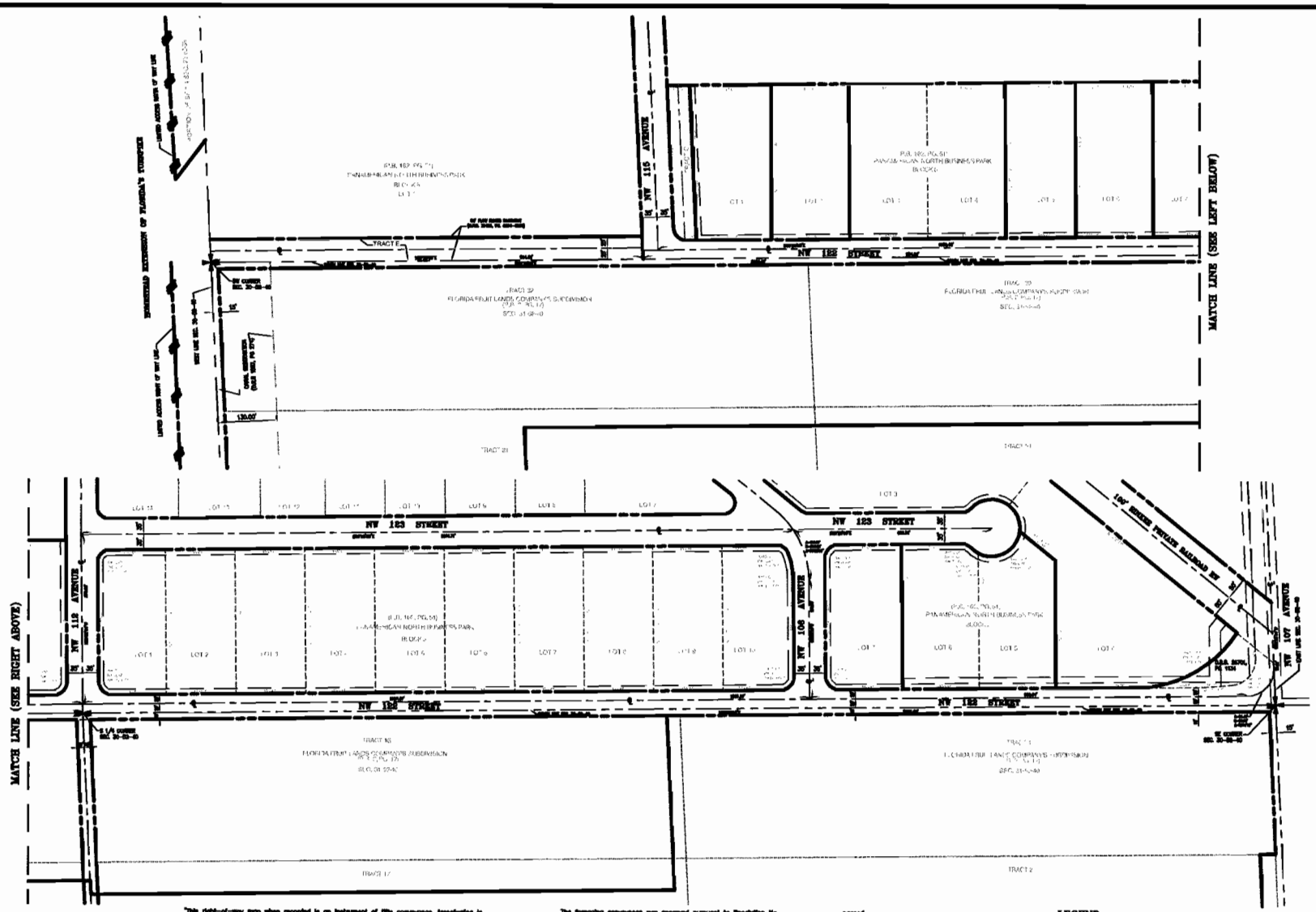

"This right-of-way map when recorded is an instrument of title conveyance, transferring in accordance with Florida Statutes Section 337.29, all right, title, and interest of Miami-Dade County in the road, street, highway, set forth on this map, to the Town of Medley." Filed for record on this _____ day of _____ A.D., 20____ at _____ o'clock _____ m. in Road Map Book _____ at Page _____ of the Public Records of Miami-Dade County, Florida
Attest:
Harvey Ruvin, Clerk of the Circuit and County Courts Miami-Dade County, Florida.

By:_____
Deputy Clerk

The foregoing conveyance was approved pursuant to Resolution No. _____ passed and adopted by the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____ A.D., 20____ Attest:
Harvey Ruvin, Clerk of the Board of County Commissioners Miami-Dade County, Florida.

By:_____
Deputy Clerk

LEGEND

	PROPERTY LINE	P.B.	PLAT BOOK
	LOT LINE	PG	PAGE BOOK
	BOUNDARY LINE	℄	CENTER LINE
	CENTER LINE	(L)	LENGTH
	RIGHT-OF-WAY LINE	Δ	DELTA
	AREA TO BE TRANSFERRED	(R)	RADIUS
ORB	OFFICIAL RECORD BOOK		

THIS IS NOT A SURVEY

RIGHT OF WAY MAP

MIAMI-DADE COUNTY PUBLIC WORKS DEPT.
RIGHT OF WAY DIVISION

MIAMI-DADE

REVISION	BY	DATE	REVISION	BY	DATE

	BY	DATE
PRELIM		
DRAWN	LESPINOSA	07-30-0
CHECKED	G.BOCHENEK	07-30-0

SUBMITTED BY: DATE
H.Rubin PSM, R/W Engineer
APPROVED BY: DATE
Miranda PE, Assistant Director

NW 122 STREET
From NW 107 Ave to NW 117 Ave

MAPS PREPARED BY: MIAMI-DADE COUNTY DIVISION OF SRV DIVISION
FIELD BOOK NO.'S
SCALE: 1" = 100'
PROJECT: N/A
SHEET 1 OF 1