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

Memorandum

MIAMI-DADE COUNTY

Date: July 8, 2010

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

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

From: George M. Burgess
County Manager

Resolution No. R-744-10

Subject: Resolution Designating a Portion of Miami-Dade County Owned Property at North Trail Park as Road Right-of-Way for NW 127 Avenue and Theoretical NW 8 Street in Government Lot 2 Located Between Section 35-53-39 and Section 2-53-40
Commission District 12

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 North Trail Park as road right-of-way for NW 127 Avenue and theoretical NW 8 Street, in Government Lot 2 between Section 35, Township 53 South, Range 39 East and Section 2, Township 53 South, Range 40 East, Miami-Dade County, Florida.

Scope

The subject property is located within Commission District 12.

Fiscal Impact/Funding Source

There is no fiscal impact associated with this right of way dedication. The estimated cost for the future park improvements are $1.759 million and will be funded out of future Building Better Communities –General Obligation Bond funds, construction is estimated to begin no earlier than 2011. Operation & maintenance costs upon project build out are estimated at approximately $15,000 annually and are pending identification of operating funds.

Track Record/Monitor

Not Applicable.

Background

The subject property was acquired by the Park and Recreation Department (PRD) for the North Trail Park. PRD is in the process of platting the property and in order to comply with platting requirements, it has been requested that a portion of the subject property, which lies within the zoned right-of-way of NW 127 Avenue be designated as right-of-way. The additional road dedication will improve access to the park and to this area of Miami-Dade County. Planned improvements include expanding parking by 80 spaces, adding a skate park, lighted parking and lighted courts.

The subject property is County owned property under the jurisdiction of the PRD and is located within the zoned right-of-way for NW 127 Avenue. All properties being developed are required by County Code to dedicate the zoned right-of-way. Therefore, as required by County Code, the zoned right-of-way of the Park's property needs to be dedicated.

The Directors of the Park and Recreation and Public Works Department agree upon the public benefits to be derived from the designation of this parcel for road right-of-way purposes.

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: July 8, 2010

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

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

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)(K)
7-8-10

RESOLUTION NO. R-744-10

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY OWNED PROPERTY AT NORTH TRAIL PARK AS ROAD RIGHT-OF-WAY FOR NW 127 AVENUE AND THEORETICAL NW 8 STREET , IN GOVERNMENT LOT 2 BETWEEN SECTION 35, TOWNSHIP 53 SOUTH, RANGE 39 EAST AND SECTION 2, TOWNSHIP 53 SOUTH, RANGE 40 EAST

WHEREAS, the Directors of the Departments of Public Works and Park and Recreation have recommended that a portion of County-owned land at NW 127 Avenue be designated as public road right-of-way, and the County Manager has concurred in said recommendation as 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 hereby designates and declares the following described lands at SW 127 Avenue, owned by Miami-Dade County, as public road right-of-way, as set forth in the accompanying memorandum from the County Manager:

See Exhibits "A" and "B" attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Katy Sorenson**, who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Diaz** 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	**absent**	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	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of July, 2010. 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

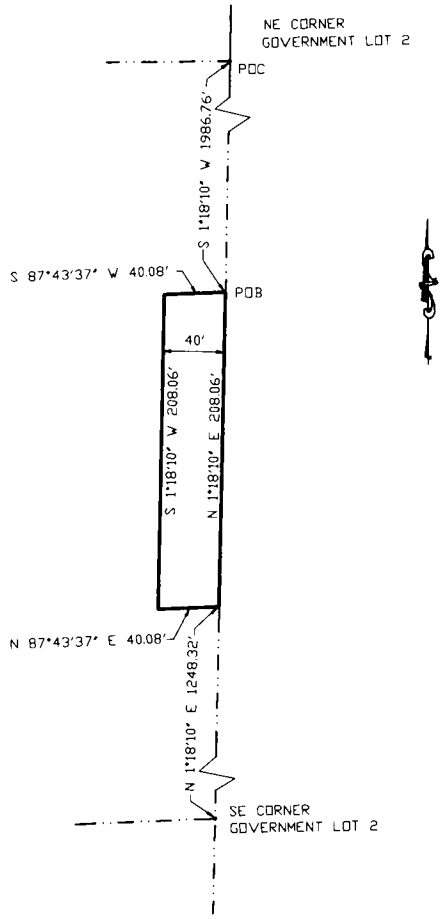
By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve

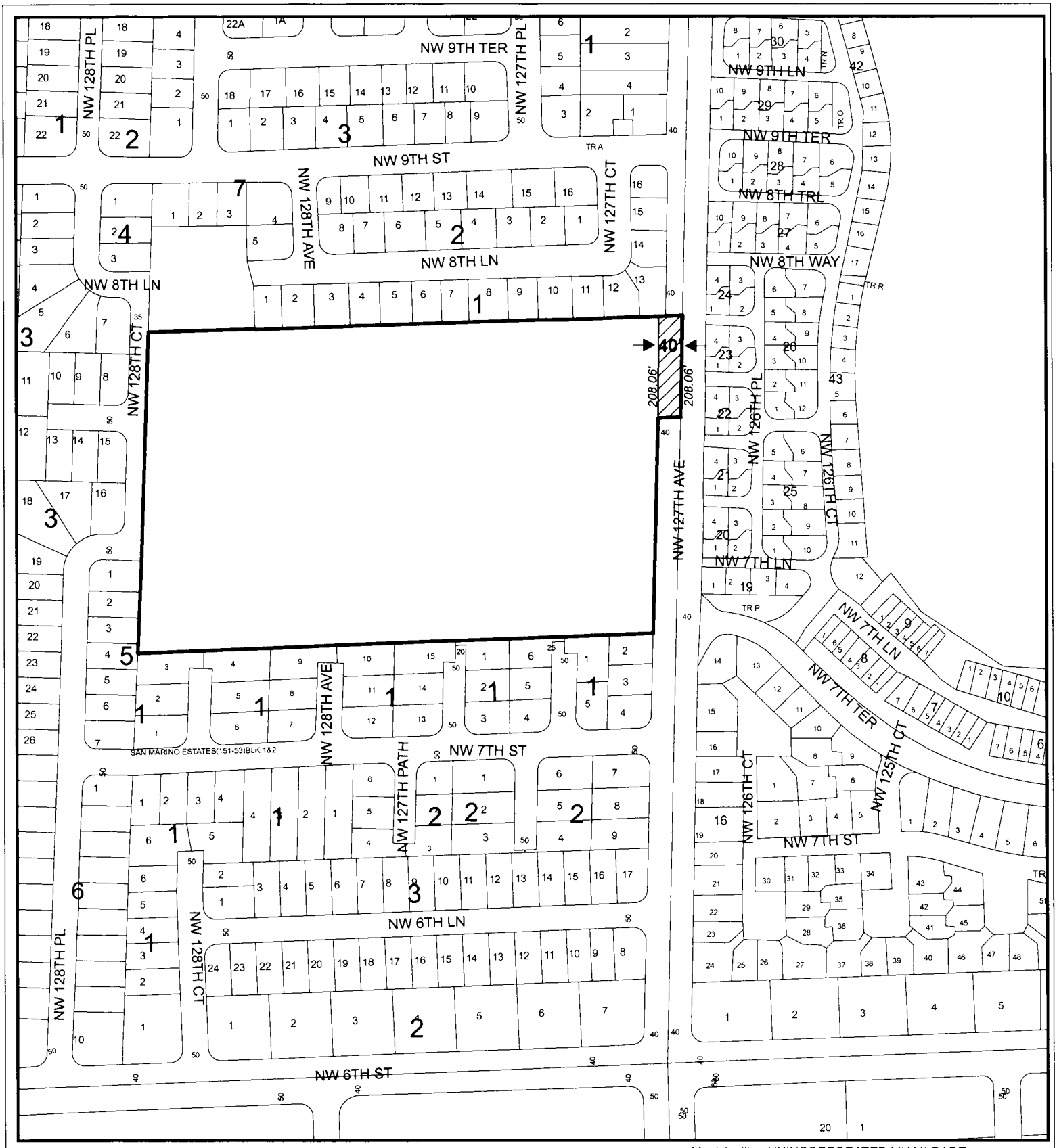
Exhibit "A"

LEGAL DESCRIPTION
FOR PROPOSED RIGHT OF WAY



LEGAL DESCRIPTION

Commence at the Northeast corner of Goverment Lot 2 located between Section 35, Township 53 South, Range 39 East, and Section 2, Township 53 South, Range 40 East, Miami Dade County, Florida; thence S 01°18'10" W along the East line of said Goverment Lot 2, for a distance of 1986.76 feet to the Point of Beginning of the hereinafter described parcel; thence S 87°43'37" W for a distance of 40.08' feet to the intersection with the Westerly Right of Way line of Northwest 127th Avenue; thence S 01°18'10" W, along a line 40.00 feet west of and parallel with the East line of said Goverment Lot 2, for a distance of 208.06 feet ; thence N 87°43'37" E for a distance of 40.08 feet to a point of intersection with the east line of said Goverment Lot 2; thence N 01°18'10" E along the East line of said Goverment Lot 2, for a distance of 208.06 feet to the Point of Beginning. Having 8,320 Sq/Ft more or less.



THIS IS NOT A SURVEY

Municipality: UNINCORPORATED MIAMI-DADE
Commission District: Jose "Pepe" Diaz, 12
Miami-Dade County Mayor Carlos Alvarez

FOLIO NO. 30-3952-000-0430
Miami-Dade County
PARKS AND RECREATION

EXHIBIT "B"

RIGHT OF WAY DESIGNATION

N
W E
S
NTS

MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT
RIGHT-OF-WAY
111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-2714 FAX (305) 375-2825

MIAMI-DADE COUNTY

6

Date: April 28, 2010
Prepared By: Yazmin Moreno