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

Memorandum

MIAMI-DADE COUNTY

Date: September 10, 2010

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

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

From: George M. Burgess
County Manager

Resolution No. R-891-10

Subject: Resolution Approving a Maintenance Map for a Portion of SW 97 Avenue (Franjo Road) Between SW 180 Street and Northbound State Road No. 5 (US-1) in Sections 32 and 33, Township 55 South, Range 40 East, Authorizing the Chairman and the Clerk of the Board to Certify the Maintenance Map, 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 approving a Maintenance Map for a portion of SW 97 Avenue between SW 180 Street and northbound State Road No. 5 (US-1), authorizing the Chairman and the Clerk of the BCC to certify same, and authorizing the recordation thereof in the Public Records of Miami-Dade County, Florida.

Scope
The subject road is a County maintained road located in the Village of Palmetto Bay within County Commission District 8.

Fiscal Impact/Funding Source
There is currently no increase in maintenance cost to the County as a result of this action.

Track Record/Monitor
Not applicable.

Background
SW 97 Avenue between SW 180 Street and northbound State Road No. 5 (US-1) has been constructed and maintained continuously by Miami-Dade County Public Works Department (PWD) for a period over four (4) years. Therefore, in accordance with Chapter 95.361, Florida Statutes, title to a road maintained by the County for over four (4) years vests in the County. Pursuant to such statute, the filing of a maintenance map in the Office of the Clerk of the Court, which has been certified by the Chair and the Clerk of the BCC is deemed prima facie evidence of that ownership by the County.

The subject Maintenance Map has been executed by the Chief of the Road, Bridge and Canal Maintenance Division of the Miami-Dade County PWD, thereby certifying that the County has maintained this road for over four (4) years. It is therefore recommended that the attached Maintenance Map be approved by the BCC, after which it will be certified by the Chair and the Clerk of the BCC and recorded in the Public Records of Miami-Dade County, Florida in accordance with Chapter 95.361 of the Florida Statutes.

Both the original tracing and the Mylar reproducible of the Maintenance Map are to be executed by the Chair and Clerk 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: September 10, 2010

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

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

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)(D)
9-10-10

RESOLUTION NO. R-891-10

RESOLUTION APPROVING A MAINTENANCE MAP FOR A PORTION OF SW 97 AVENUE (FRANJO ROAD) BETWEEN SW 180 STREET AND NORTHBOUND STATE ROAD NO. 5 (US-1) IN SECTIONS 32 AND 33 TOWNSHIP 55 SOUTH RANGE 40 EAST, AUTHORIZING THE CHAIRMAN AND THE CLERK OF THE BOARD TO CERTIFY THE MAINTENANCE MAP 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, the Director of Public Works Department has recommended that an Official Maintenance Map be filed for record to indicate prima facie evidence of ownership, pursuant to the provisions of Chapter 95.361 of the Florida Statutes and the County Manager has concurred in such recommendation,

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

Section 1. This Board ratifies and adopts these matters set forth in the foregoing recitals.

Section 2. The Board approves the Maintenance Map for a portion of SW 97 Avenue (Franjo Road) between SW 180 Street and northbound State Road No. 5 (US-1), and authorizes the Chairman and the Clerk of the Board to certify same pursuant to Chapter 95.361 of the Florida Statutes.

Section 3. Pursuant to Resolution R-974-09, this Board: (a) directs the County Mayor or Mayor's designee to record any instruments executed in connection herewith which create or

reserve a property interest in favor of the County, in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of instruments to the Clerk of the Board within thirty (30) days of execution of said instruments; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said instruments together with this resolution.

The foregoing resolution was offered by Commissioner **Dorrin D. Rolle**, 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	**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 September, 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.

Debra Herman

AFFIDAVIT

THIS IS TO CERTIFY THAT I, Manuel O. Garcia, Chief of Road, Bridge and Canal Maintenance Division of the Miami-Dade County Public Works Department have determined, to the best of my knowledge, that Miami-Dade County road forces have maintained the pavement along SW 97 Avenue (Franjo Road) between SW 180 Street to State Road No. 5 (US-1) North Bound, and the concrete sidewalk and/or the swales of the 6 foot road shoulders thereof, in unincorporated Miami-Dade County, for at least four (4) years.

Manuel O. Garcia, Chief
Road, Bridge and Canal
Maintenance Division
Miami-Dade County
Public Works Department

STATE OF FLORIDA
COUNTY OF DADE

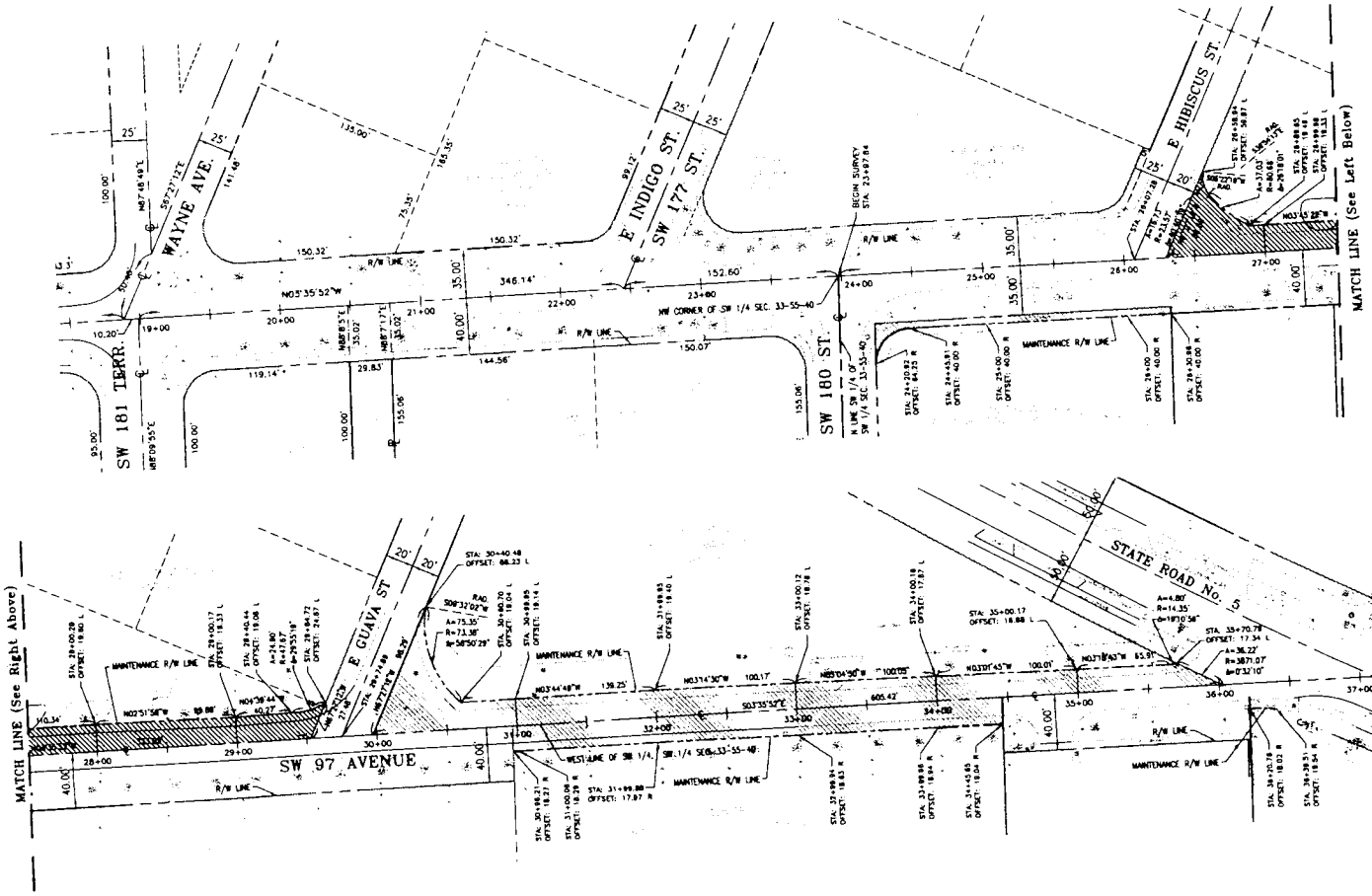
The foregoing instrument was acknowledged before me this 1st day of June, 2010 by Manuel O. Garcia, who is personally known to me and who did take and oath.

NOTARY PUBLIC STATE OF FLORIDA

MY COMMISSION EXPIRES: 4/10/2012

COMMISSION/SERIAL NO. DD 771382

Notary Public State of Florida
Dennis P. Hynes
My Commission DD771382
Expires 04/10/2012



LOCATION MAP
(NOT TO SCALE)

THIS IS TO CERTIFY that this Map numbered sheet one (1) of one (1) constitutes the official Maintenance Map showing location and survey by Miami-Dade County Public Works Department for a portion of Franjo Road in Miami-Dade County, Florida.

THE PROPERTY shown cross-hatched on said Map has been vested in Miami-Dade County,Florida ,pursuant to the provisions of Chapter 95.361, Florida Statutes of 1991 or by other formal conveyance and other instruments.

THIS MAINTENANCE MAP was approved by Resolution No._____passed and adopted by the Board of County Commissioners of Miami Dade-County, Florida, on this ___ day of _____ A.D. 2010.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Board of County Commissioners of Miami-Dade County,Florida,on this ___ day of _____ . A.D. 2010.

Attest:
HARVEY RUVIN, Clerk

by: _____
Deputy Clerk

MIAMI DADE-COUNTY, FLORIDA,
by: Its Board of County Commissioners

by: _____
MAYOR

THIS IS TO CERTIFY that the limits of the roadways as shown cross-hatched on this Map have been maintained continuosly for four (4) years inmediately past, without interruption or disturbance between SW 180 Street and State Road No. 5 (US 1) North Bound in Sections 32 & 33, Township 55 South, Range 40 East,Miami-Dade County, Florida

_____
Chief, Road, Bridge, Canal and Causeways, Maintenance Division

ACCEPTED FOR FILES and recorded in the Public Records of Miami-Dade County,Florida this day___ of_____A.D. 2010, at _____M. in Road Map Book ____ at Page ____

Harvey Ruvin
Clerk of the Circuit Court
Miami-Dade County, Florida.

by: _____
Deputy Clerk

SURVEYOR'S NOTES:

- STATE PLANE COORDINATE REFERENCE AS PER N.A.D. 83 FLORIDA EAST ZONE DIRECT CONVERSION FROM TOWNSHIP MAP MDC PUBLIC WORKS DEP. SURVEY SECTION DATED DECEMBER 1977.
- BASIS OF BEARINGS AS PER WEST LINE OF SECTION 33-55-40 BASE LINE BEARS N 3°35'52" W
- BASE LINE STATIONING IS AT 100 FOOT INTERVALS.
- PROPERTY BOUNDARIES DETERMINED FROM PLATS OF RECORD, FIELD SURVEY AND RECORD TITLE.
- THIS MAINTENANCE MAP IS SUPPORTED BY A TOPOGRAPHIC SURVEY DATED 11-16-09 PREPARED UNDER THE RESPONSABLE CHARGE OF RICARDO JORGE PROFESSIONAL SURVEYOR AND MAPPER MIAMI-DADE COUNTY PUBLIC WORK DEPARTMENT, SURVEY SECTION, 8TH FLOOR 140 W FLAGLER STREET S-8, MIAMI, FLORIDA 33128-1970 (305) 375-2657
- ALL DISTANCES AND BEARINGS ARE COMPUTED UNLESS OTHERWISE INDICATED.
- ALL DISTANCES ARE BASED UPON THE U.S. SURVEY FOOT (1=12/39.37METRE).

MAINTENANCE MAP

MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT
RIGHT OF WAY DIVISION

MIAMI-DADE

REVISION	BY	DATE

	BY	DATE
PRELIM		
DRAWN	L.Espinosa	5-27-10
CHECKED	C.Sacarrea	5-28-10

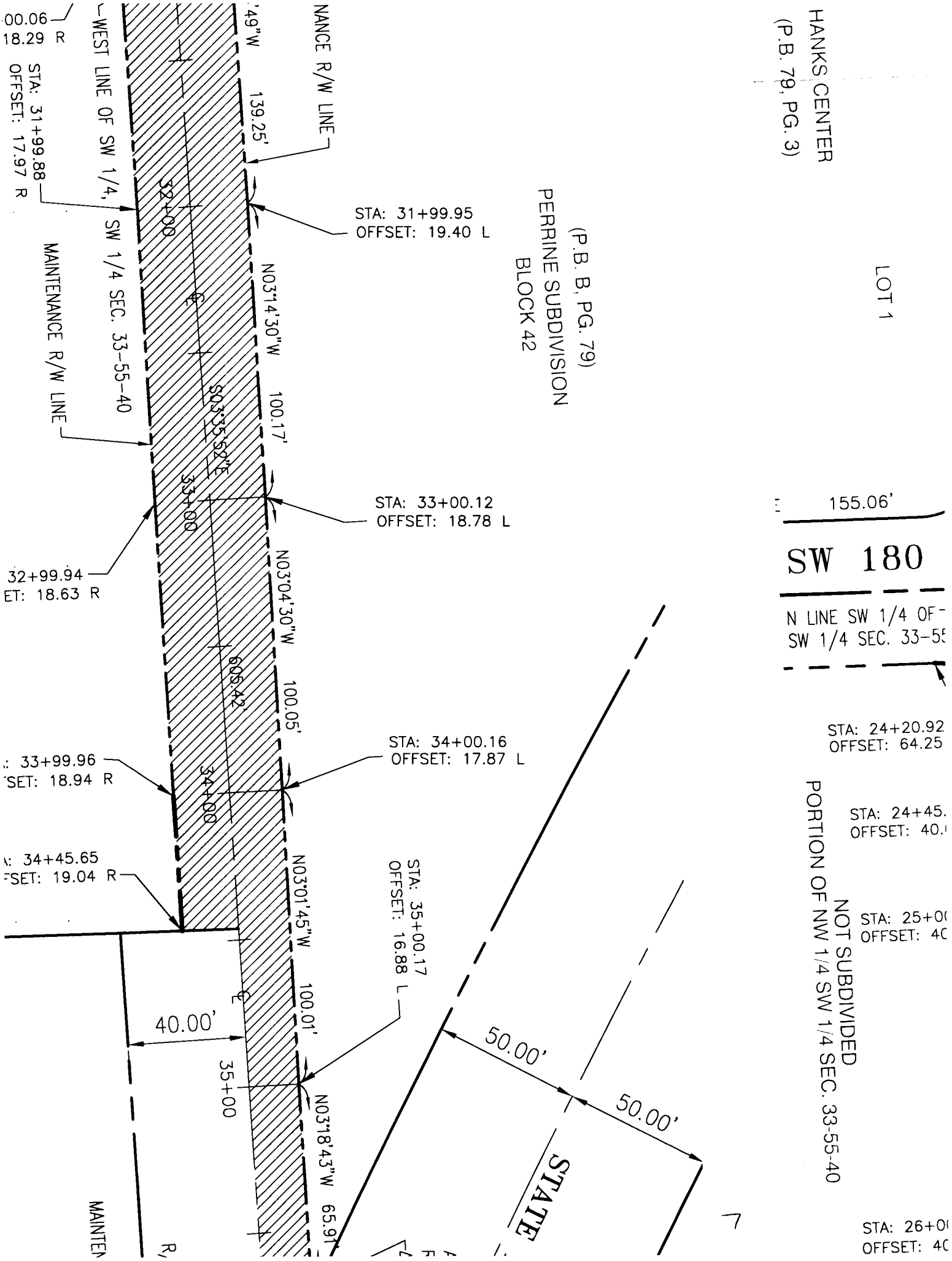
SUBMITTED BY: W.Sutton PSM, R/W Engineer — DATE
APPROVED BY: C. Miranda PE, Assistant Director — DATE

FRANJO ROAD
(SW 97 AVE)

SW 180 St. TO STATE ROAD No. 5 (US 1) N.Bound

MAPS PREPARED BY: DADE COUNTY RIGHT OF WAY DIVISION
FIELD BOOK# NO.: 2786 pages 52 to 70
SCALE: 1" = 50'
PROJECT: 20090204
SHEET: 1 OF 1

6


HANKS CENTER
(P.B. 79, PG. 3)
LOT 1
(P.B. B, PG. 79)
PERRINE SUBDIVISION
BLOCK 42
NANCE R/W LINE
WEST LINE OF SW 1/4, SW 1/4 SEC. 33-55-40
MAINTENANCE R/W LINE
STA: 31+99.95
OFFSET: 19.40 L
STA: 31+99.88
OFFSET: 17.97 R
STA: 33+00.12
OFFSET: 18.78 L
STA: 34+00.16
OFFSET: 17.87 L
STA: 35+00.17
OFFSET: 16.88 L
N03°14'30"W
139.25'
100.17'
S03°35'52"E
605.42'
N03°04'30"W
100.05'
N03°01'45"W
100.01'
N03°18'43"W
32+00
33+00
34+00
35+00
40.00'
50.00'
50.00'
STATE
155.06'
SW 180
N LINE SW 1/4 OF
SW 1/4 SEC. 33-55
STA: 24+20.92
OFFSET: 64.25
NOT SUBDIVIDED
PORTION OF NW 1/4 SW 1/4 SEC. 33-55-40