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

Memorandum

MIAMI-DADE COUNTY

Date: December 7, 2010

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

From: George M. Burgess
County Manager

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

Resolution No. R-1182-10

Subject: Resolution Approving a Maintenance Map for a Portion of SW 127 Avenue (Burr Road) Between 330 feet South of SW 193 Terrace and SW 193 Terrace in Section 1, Township 55 South, Range 39 East; Authorizing the Chairman and 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 (Board) approve the attached resolution approving a Maintenance Map for a portion of SW 127 Avenue between 330 feet South of SW 193 Terrace and SW 193 Terrace, authorizing the Chairman and the Clerk of the Board to certify the same, and authorizing the recordation thereof in the Public Records of Miami-Dade County, Florida.

Scope
The subject road is a County road located within Commission District 8.

Fiscal Impact/Funding Source
There will be no increase in maintenance cost to the County as a result of this action because the County has already been maintaining the property for the past four years. The current maintenance cost for this road is approximately $100.00 annually and is funded from the Department's General Fund allocation.

Track Record/Monitor
Not applicable.

Background
SW 127 Avenue (Burr Road) between 330 South of SW 193 Terrace and SW 193 Terrace has been constructed and maintained continuously by Miami-Dade County Public Works Department (PWD) for a period over four years. In accordance with Chapter 95.361, Florida Statutes, title to a road maintained by the County for over four 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 Board, 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 PWD, thereby certifying that the County has maintained this road for over four years. It is therefore recommended that the attached Maintenance Map be approved by the Board, after which it will be certified and recorded, in accordance with the aforementioned Florida Statute..

The Mylar reproducible of the Maintenance Map is to be executed by the Chair and Clerk of the Board 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: December 7, 2010

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

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

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)(A)
12-7-10

RESOLUTION NO. R-1182-10

RESOLUTION APPROVING A MAINTENANCE MAP FOR A PORTION OF SW 127 AVENUE (BURR ROAD) BETWEEN 330 FEET SOUTH OF SW 193 TERRACE AND SW 193 TERRACE IN SECTION 1, TOWNSHIP 56 SOUTH, RANGE 39 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 127Avenue (Burr Road) between 330 feet South of SW 193 Terrace and SW 193 Terrace, 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 **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** 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**	Lynda Bell	**aye**
Audrey M. Edmonson	**aye**	Carlos A. Gimenez	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Joe A. Martinez	**aye**	Jean Monestime	**aye**
Natacha Seijas	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of December, 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 and the concrete sidewalk along SW 127 Avenue between 330 feet South of SW 193 Terrace to the centerline of SW 193 Terrace, 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

Notary Public State of Florida
John M White
My Commission DD771424
Expires 04/20/2012

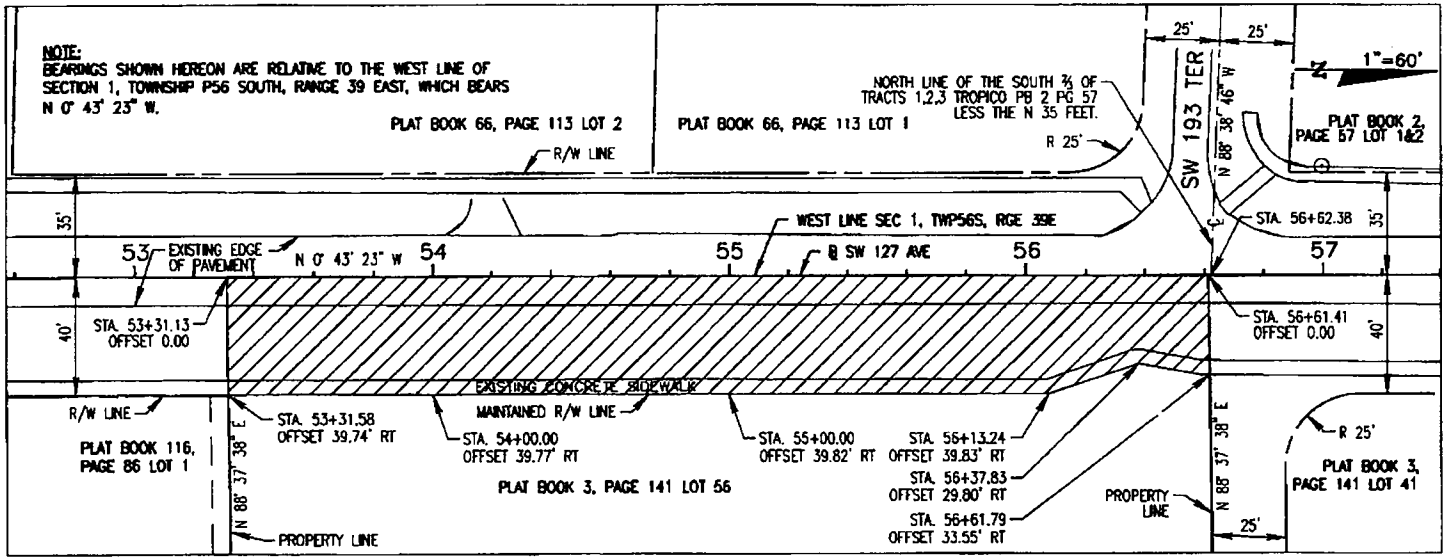
The foregoing instrument was acknowledged before me this 6 day of Oct., 2010 by Manuel O. Garcia, who is personally known to me and who did take and oath.

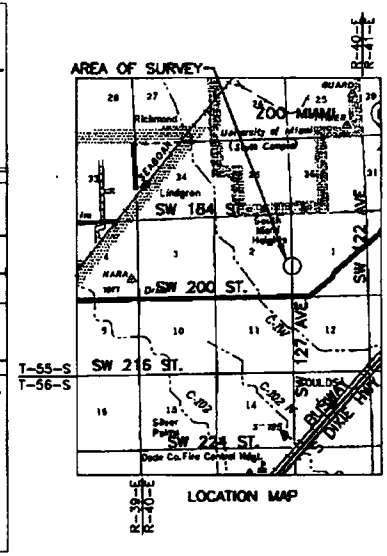
NOTARY PUBLIC STATE OF FLORIDA

MY COMMISSION EXPIRES: 4/20/2012

COMMISSION/SERIAL NO. DD771424

NOTE:
BEARINGS SHOWN HEREON ARE RELATIVE TO THE WEST LINE OF SECTION 1, TOWNSHIP 56S SOUTH, RANGE 39 EAST, WHICH BEARS N 0° 43' 23" W.





LEGEND

COUNTY MAINTAINED AREA

EXISTING RIGHT-OF-WAY LINE

BASELINE OF SURVEY

THIS IS TO CERTIFY that this Map numbered sheet (1) of one (1) constitutes the official Maintenance Map showing the location and survey by Consultech Surveying & Mapping, Inc. for Miami-Dade County Public Works Department for a portion of SW 127 Avenue in Miami-Dade Conty, 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, on the _____ day of _____, A.D., 20____.

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 the _____ day of _____, A.D. 20____.

THIS MAINTENANCE MAP was approved by Resolution No. _____ passed and adopted by the Board of County Commissioners of Miami-Dade County, FL, on the _____ day of _____ A.D., _____.

Attest:
Harvey Ruvin, Clerk

by_____
Deputy Clerk

Miami-Dade County, Fl.
by its Board of County Commissioners.

by_____
Chairman

THIS IS TO CERTIFY that the limits of the roadways shown crosshatched on this map have been maintained continuously for four (4) years immediately past, without interruption or disturbance, along the east side of SW 127 Avenue, from 330 feet south of the Centerline of SW 193 Terrace to the Centerline of SW 193 Terrace.

_____
Chief Road, Bridge, Canal Maintenance Division

ACCEPTED for files and recorded in the Public Records of Miami-Dade County, Florida, on the _____ day of _____, A.D., 20____, at _____, in Road Map Book _____ at Page _____.

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

by_____
Deputy Clerk

SURVEYOR'S CERTIFICATION

This map, was prepared for the specific purpose of depicting and identifying the limits of maintained right of way as shown hereon. I certify that this drawing was prepared under my direction and completed on _____ and that this map meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers, in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

_____
Selvin P. Bruce P.S.M.
Professional Surveyor and Mapper no. 5290
State of Florida

_____
Date

MAINTENANCE MAP

MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT
RIGHT OF WAY DIVISION

MIAMI-DADE

SW 127 AVE
FROM SW 193 TERR. TO SW 193 TERR.

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