



**MEMORANDUM**

Agenda Item No. 5(E)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners


**DATE:** November 15, 2011

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

**SUBJECT:** Resolution granting petition to close  
Ali Cogia Circle, from SW 213 Street  
to SW 214 Street (Road Closing  
Petition No. P-889)

Resolution No. R-949-11

The accompanying resolution was prepared by the Public Works and Waste Management Department and placed on the agenda at the request of Prime Sponsor Commissioner Lynda Bell.



R. A. Cuevas, Jr.  
County Attorney


RAC/cp

# Memorandum



**Date:** November 15, 2011

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Road Closing Petition P-889  
Section: 08-56-39  
Ali Cogia Circle, from SW 213 Street to SW 214 Street  
Commission District: 8

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## Recommendation

It is recommended that the Board of County Commissioners (BCC) grant the attached Road Closing Petition following a public hearing. The Miami-Dade County Departments of Planning and Zoning, Public Works, Water and Sewer and Fire Rescue have no objection to this right-of-way being closed.

## Scope

This road closing is located within Commission District 8.

## Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the adjacent property to this right-of-way at \$50,000.00 per acre. Therefore, the estimated value of this right-of-way would be approximately \$18,940.00. If this right-of-way is closed and vacated, the land will be placed on the tax roll, generating an estimated \$387.00 per year in additional property taxes. The fee for this road closing is \$2,694.00.

## Track Record/Monitor

The Public Works Department (PWD) is the entity overseeing this project and the person responsible for monitoring is Mr. Luis Lacau, PLS, Section Head, PWD Right-of-Way Division.

## Background

The petitioners, Syed Kazim and Dahirys Rodríguez, wish to close the right-of-way for Ali Cogia Circle, from SW 213 Street to SW 214 Street, in order to incorporate the land into their property. The right-of-way being closed has never been improved nor maintained by Miami-Dade County. Therefore, this action will not adversely impact traffic flow or continuity of traffic in the area.

The subject right-of-way was dedicated in 1925, by the plat of ALADDIN CITY, recorded in Plat Book 23, Page 5, of the Public Records of Miami-Dade County, Florida. The subject right-of-way is zoned GU (Interim District).

  
\_\_\_\_\_  
County Manager/Deputy Mayor

Note: The Clerk is directed to publish notice of a public hearing on a Road Closing Petition in a newspaper of general circulation in Miami-Dade County, one (1) time, at least two (2) weeks prior to the date of said public hearing in conformity with the statutory requirements.



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** November 15, 2011

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

**SUBJECT:** Agenda Item No. 5(E)

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

Agenda Item No. 5(E)

Veto \_\_\_\_\_

11-15-11

Override \_\_\_\_\_

RESOLUTION NO. R-949-11

RESOLUTION GRANTING PETITION TO CLOSE ALI COGIA  
CIRCLE, FROM SW 213 STREET TO SW 214 STREET (ROAD  
CLOSING PETITION NO. P-889)

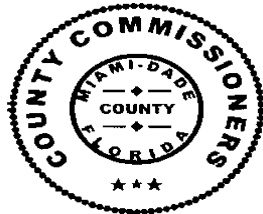
**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, (1) that the alleyway, street, road, highway or other place used for travel as described in the attached petition is hereby vacated, abandoned and closed, all rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed; (2) it is found that the action will serve a public purpose and benefit the public without violating private property rights; (3) that the procedure utilized in the adoption of this resolution is expressly ratified and approved; and (4) the Clerk is hereby directed to publish notice of the adoption of this resolution one time within thirty (30) days hereafter in a newspaper of general circulation of Miami-Dade County.

The foregoing resolution was offered by Commissioner **Lynda Bell**,  
who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez**  
and upon being put to a vote, the vote was as follows:

		Joe A. Martinez, Chairman	
		Audrey M. Edmonson, Vice Chairwoman	<b>absent</b>
Bruno A. Barreiro	<b>aye</b>	Lynda Bell	<b>aye</b>
Esteban L. Bovo, Jr.	<b>aye</b>	Jose "Pepe" Diaz	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss	<b>aye</b>
Rebeca Sosa	<b>aye</b>	Sen. Javier D. Souto	<b>aye</b>
Xavier L. Suarez	<b>absent</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of November, 2011. 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: **Christopher Agrippa**  
Deputy Clerk

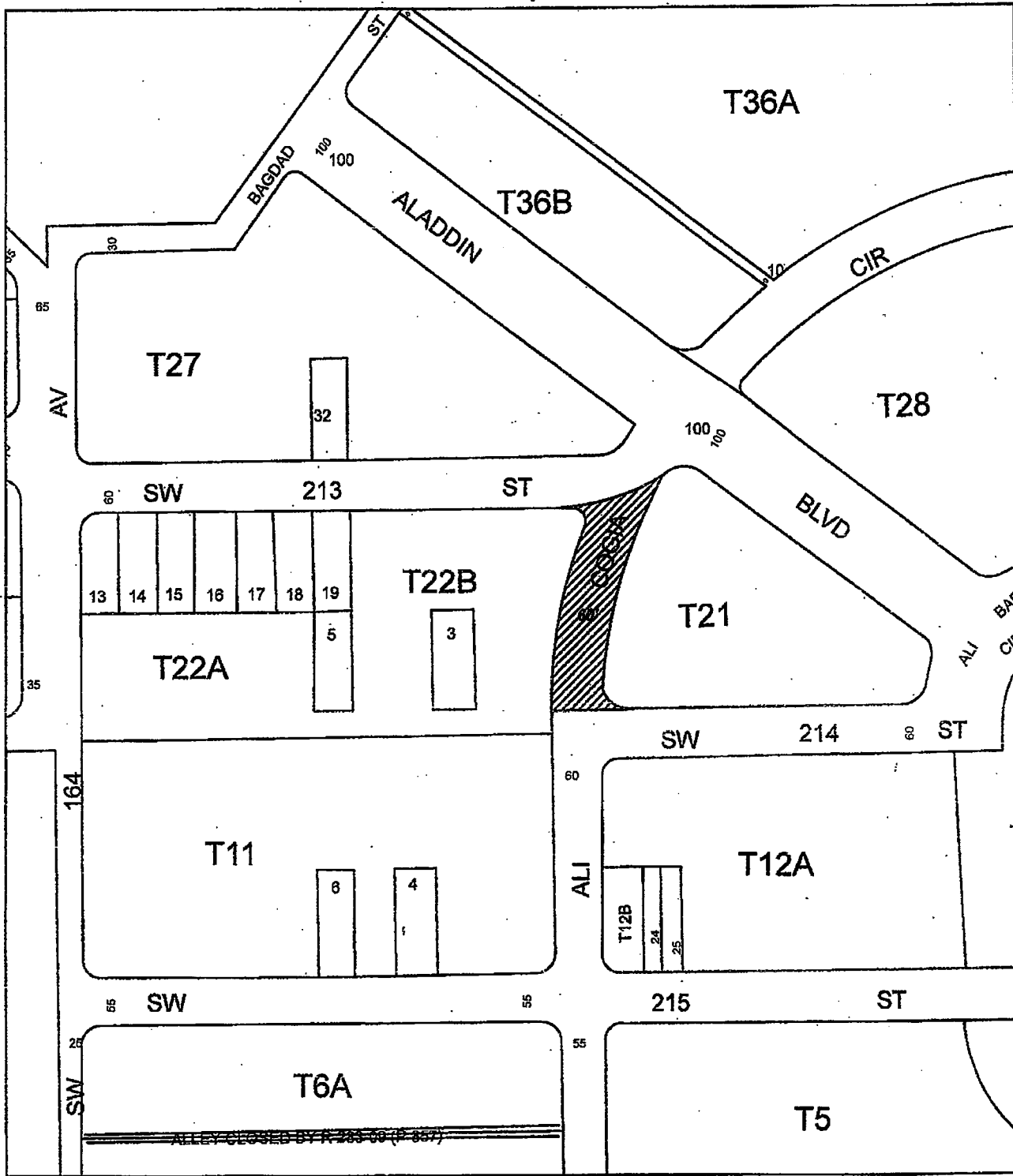
Approved by County Attorney as  
to form and legal sufficiency.

Bruce Libhaber

S.

# Location Map

SECTION 08 TOWNSHIP 56 S RANGE 39 E



This is not a survey

## P-889

PUBLIC WORKS DEPARTMENT  
RIGHT OF WAY



Municipality: UNINCORPORATED MIAMI-DADE  
Commission District: Lynda Bell, 8

Date: April 27, 2011  
Prepared by: Yazmin Moreno

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**PETITION TO CLOSE ROAD**

TO: Board of County Commissioners  
Miami-Dade County, Florida

The undersigned, pursuant to Sections 336.09 – 336.12 Florida Statutes, hereby petitions the Board of County Commissioners to vacate, abandon, discontinue and close an existing public street, alleyway, road, highway, or other place used for travel, or a portion thereof, and to renounce and disclaim any right of the County and the public in and to any land in connection therewith; or to renounce and disclaim any right of County and the public in and to certain land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes; or to renounce and disclaim any right of the County and the public in and to certain land delineated on recorded map or plat as a street, alleyway, road or highway.

The undersigned hereby certify:

1. LEGAL DESCRIPTION: The complete and accurate legal description of the road, right-of-way sought to be closed is as follows:

That portion of Ali Cogia Circle that lies East of Block 22 and West of Block 21 of ALADDIN CITY PLAT NO.1, according to the plat thereof, as recorded in Plat Book 23, at Page 5 of the Public Records of Miami-Dade County, Florida; located South of SW 213 Street (Hassan Street, by said plat) and North of SW 214 Street (Damascus Street, by said plat), described as follows:

Commence at the intersection of the center line of Ali Cogia Circle and SW 214 Street; thence **S88°59'48"W 52.88 feet** along the center line of said SW 214 Street; thence **N01°00'12"W 30.00 feet**; thence **N88°59'48"E 23.53 feet** to the Point of Beginning; thence continue **N88°59'48"E 86.85 feet** along the projection of the southerly boundary line of said Block 22 and Block 21 to a point of cusp with a curve concave to the northeast, having a radius of **25 feet**, to which point a radial line bears **S01°00'12"E**; thence Westerly, Northwesterly, Northerly **41.55 feet** along said curve through a central angle of **95°12'57"** to the beginning of a compound curve concave to the east having a radius of **630 feet**; thence Northerly and Northeasterly **278.46 feet** along said curve through a central angle of **25°19'28"** to a point of cusp with a curve concave to the northwest having a radius of **91.39 feet** and to which point a radial line bears **S56°38'29"E**; thence Southwesterly **88.75 feet** along said curve through a central angle of **55°38'35"** to a point of tangency; thence **S88°59'48"W 49.85 feet** along the prolongation of the southerly right of way line of SW 213 Street to a point of cusp with a curve concave to the southwest having a radius of **25 feet** and to which point a radial bears **N01°00'12"W**; thence southeasterly and southerly **48.40 feet** along the arc of said curve through a central angle of **110°55'13"** to a point of reversed curve concave to the east having a radius of **690 feet**; thence Southerly **221.93 feet** along said curve through a central angle of **18°25'42"** to the Point of Beginning.

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2. PUBLIC INTEREST IN ROAD: The title or interest of the county and the Public in and to the above described road, right-of-way was acquired and is evidenced in the following manner (state whether public interest was acquired by deed, dedication or prescription and set forth where deed or plat is recorded in public records):

DEDICATED TO MIAMI DADE COUNTY IN 1925  
BY THE PLAT OF ALADDIN CITY RECORDED IN  
PLAT BOOK 23 PAGE 5, OF THE PUBLIC RECORDS OF  
MIAMI DADE COUNTY FLORIDA

3. ATTACH SURVEY SKETCH: Attached hereto is a survey accurately showing and describing the above described right-of-way and its location and relation to surrounding property, and showing all encroachments and utility easements.

4. ABUTTING PROPERTY OWNERS: the following constitutes a complete and accurate schedule of all owners of property abutting upon the above described right-of-way.

PRINT NAME	FOLIO NO.	ADDRESS
<u>Syed Kazim</u>	<u>30 6908 001 0080</u>	<u>16290 ALADDIN BLVD</u>
<u>Flora Madruga</u>	<u>30 6908 001 0080</u>	<u>16290 ALADDIN BLVD</u>
<u>Dahirys Rodriguez</u>	<u>30-6908-001-0120</u>	<u>16335 SW 215 ST</u>
<u>ISRAEL VELAZ</u>	<u>30-6908-001-0120</u>	<u>16335 SW 215 ST</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. ACCESS TO OTHER PROPERTY: The undersigned certify that in the event this petition is granted no other property owners will be prevented from access to and from their property and no other property owners in the vicinity will be adversely affected.



6. GROUNDS FOR REQUESTING PETITION AND PROPOSED USE FOR THE LAND BY THIS REQUEST: The undersigned submits as a grounds and reasons in support of this petition the following (state in detail, why petition should be granted):

Over the years it has become a Dumping Ground for Garbage which has caused Rats and other Small Animals to Nest in the area. Over the years we have called the city to remove the garbage but no response. We are willing to keep the area clean and take care of it. Last week we were forced to remove trees and old Fence. Now the area has clear way for more Garbage to be Dumped and also more Rats & Rodents to Nest. we think this is unsafe for our kids.

7. Signatures of all abutting property owners: Respectfully submitted,

SIGNATURE  
[Signature]  
[Signature]  
[Signature]  
[Signature]  
   
   
   
   
   
 

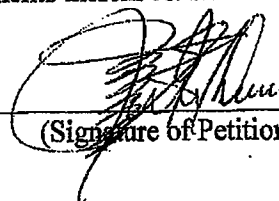
ADDRESS  
16290 Maddox Blvd  
16290 Maddox Blvd  
16335 SW 21st St  
16335 SW 21st St

Attorney for Petitioner

Address: \_\_\_\_\_  
(Signature of Attorney not required)

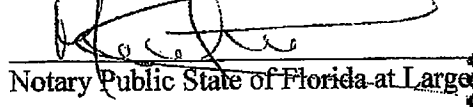
STATE OF FLORIDA                    )  
  ) SS  
MIAMI-DADE COUNTY                )

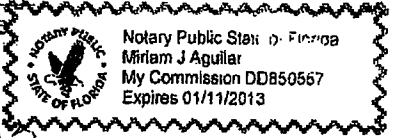
BEFORE ME, the undersigned authority, personally appeared SYED KAZIM  
\_\_\_\_\_, who first by me duly sworn, deposes and says that  
he/she is one of the petitioners named in and who signed the foregoing petition; that he/she  
is duly authorized to make this verification for and on behalf of all petitioners; that he/she  
has read the foregoing petition and that the statements therein contained are true.

  
\_\_\_\_\_  
(Signature of Petitioner)

Sworn and subscribed to before me this

22 day of APRIL, 2011

  
\_\_\_\_\_  
Notary Public State of Florida-at Large



My Commission Expires: 01/11/2013