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

MEMORANDUM

Agenda Item No. 8(L)(2)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 7, 2013

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

SUBJECT: Resolution designating a portion of Miami-Dade County owned property identified as Parcel 7 as Public Road Right-of-Way for the People's Transportation Plan Project Entitled Improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue, in Section 34, Township 56 South, Range 39 East
Resolution No. R-390-13

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 Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: May 7, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Designating a Portion of Miami Dade County Owned Property Identified as Parcel 7 as Public Road Right-of-Way for the People's Transportation Plan (PTP) Project Entitled Improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue in Section 34, Township 56 South, Range 39 East - Commission District 9

Recommendation

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution designating a portion of Miami-Dade County owned property identified as Parcel 7, as public road right-of-way. Said parcel is required for road widening, beautification, and right-of-way improvements to the PTP project entitled Improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue (Project).

Scope

The impact of this project is Countywide; however it is located within Dennis C. Moss' Commission District 9.

Fiscal Impact/Funding Source

There is no fiscal impact associated with this item. The total cost of the Project (inclusive of design, construction and right-of-way acquisition of all parcels) is estimated at $5,250,000.00 and will be funded by the Charter County Transportation Surtax. Once the project is completed, it is estimated that the annual maintenance and operational costs will be $15,830.00 and $7,073.00.

Track Record/Monitor

Public Works and Waste Management Department (PWWM) is the entity overseeing this project and the person responsible for monitoring it is Mr. Luis Lacau, PLS, Section Head, PWWM Highway Engineering and Right-of-Way Division.

Background

This Resolution is for the designation as public road right-of-way of a portion of Miami-Dade County owned property identified as Parcel 7. It is one of a total of 16 separate parcels needed by PWWM for programmed improvements along SW 264 Street, between US 1 (SR 5) and SW 137 Avenue. This project consists of the widening of the existing roadway to a 2-lane divided highway and includes a raised landscaped median, bike lanes, on-street parking, sidewalks, curb and gutter, a continuous storm drainage system, signalization, pavement markings and signage, and decorative lighting. It will also provide a safe drop off for students at MacArthur South Senior High.

The area to be designated as road right-of-way is described and illustrated on the parcel map in Exhibit "A", attached herewith. The parent tract for Parcel 7 is under the jurisdiction of the Internal Services Department (ISD). The Directors of ISD and PWWM agree upon the public benefits to be derived from the designation of portions of Parcel 7 for public road right-of-way purposes.

Alina T. Hudak
Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 7, 2013

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

SUBJECT: Agenda Item No. 8(L)(2)

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 Mayor'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(L)(2)
5-7-13

RESOLUTION NO. R-390-13

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY OWNED PROPERTY IDENTIFIED AS PARCEL 7 AS PUBLIC ROAD RIGHT-OF-WAY FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED IMPROVEMENTS TO SW 264 STREET, FROM US 1 (SR 5) TO SW 137 AVENUE, IN SECTION 34, TOWNSHIP 56 SOUTH, RANGE 39 EAST

WHEREAS, the Directors of the Public Works and Waste Management Department and Internal Services Department have recommended that a portion of County-owned land identified as Parcel 7 at the intersection of SW 264 Street and SW 139 Avenue, as shown on Exhibit "A", be designated as public road right-of-way to be used for the People's Transportation Plan (PTP) project entitled "Improvements to SW 264 Street, from US 1 (SR 5) to SW 137 Avenue"; and

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, that this Board hereby designates and declares the following described lands at the intersection of SW 264 Street and SW 139 Avenue, owned by Miami-Dade County, as public road right-of-way as set forth in the accompanying memorandum and as shown on Exhibit "A" attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Lynda Bell**, 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:

Rebeca Sosa, Chairwoman	**aye**		
Lynda Bell, Vice Chair	**aye**		
Bruno A. Barreiro	**aye**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**absent**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**absent**	Dennis C. Moss	**aye**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of May, 2013. 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

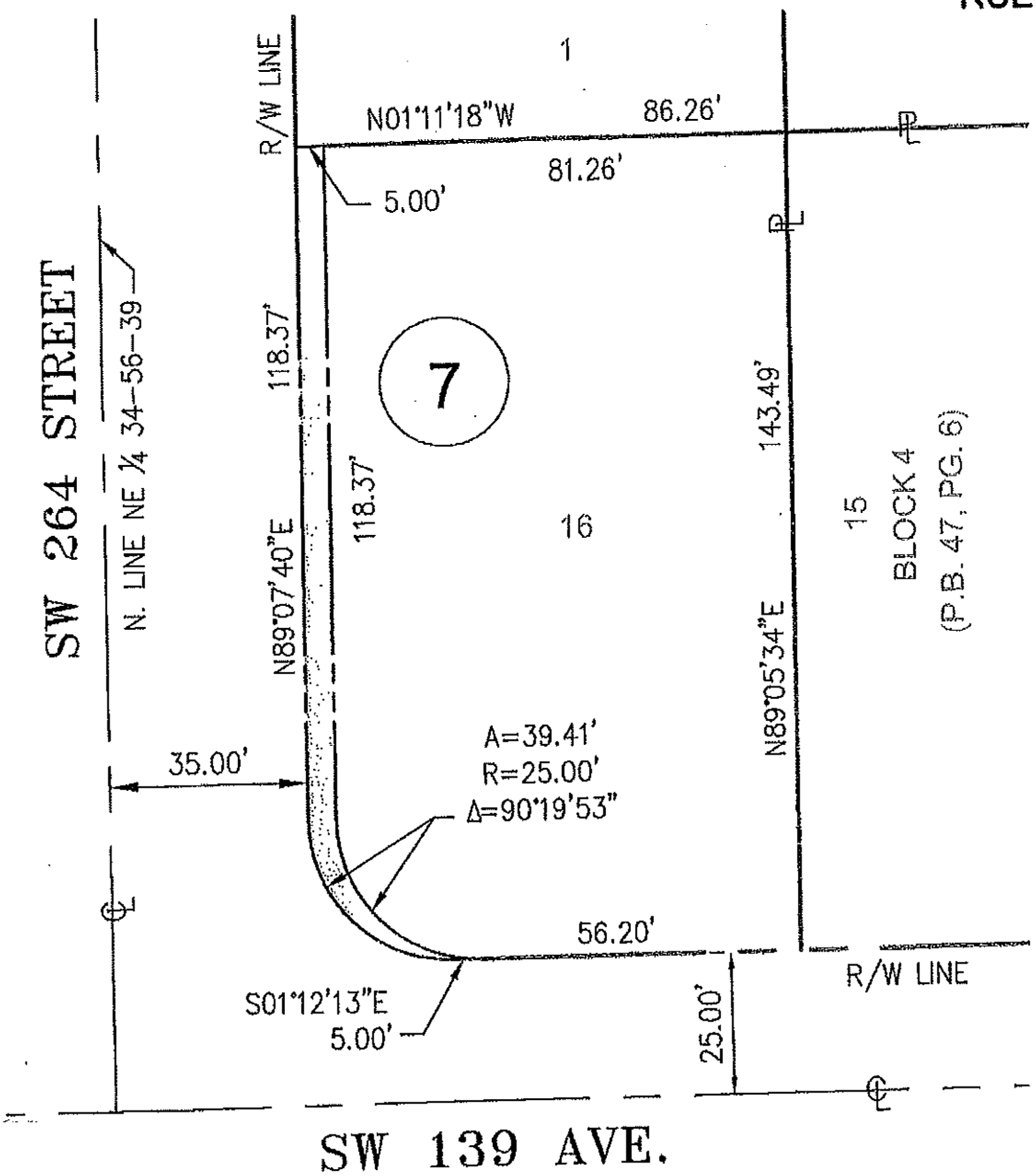
By: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. JEB

Debra Herman

EXHIBIT "A"

SEC 34
TWP 56 S
RGE 39 E



LEGEND

BOUNDARY LINE		AREA TO BE ACQUIRED	(PT)	POINT OF TANGENCY	P.L.	PROPERTY LINE
PROPERTY LINE	(POB)	POINT OF BEGINNING	(PC)	POINT OF CURVATURE	(L)	LENGTH
RIGHT-OF-WAY LINE	(POC)	POINT OF COMMENCEMENT	(PCU)	POINT OF CUSP	(Δ)	DELTA
CENTER LINE	℄	MONUMENT LINE	(PI)	POINT OF INTERSECTION	(R)	RADIUS
	℄	CENTER LINE	R/W	RIGHT OF WAY		

THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.

MIAMI-DADE PWWM

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPT. LAND DEVELOPMENT/RIGHT-OF-WAY DIVISION ENGINEERING SECTION	PARCEL 7 SW 264 STREET	SCALE: 1" = 30'	DATE: 01-11-13
		CHECKED BY: L. Lacau	
		DRAWN BY: L. Espinosa	
		PROJECT: 20040350	SHEET:2 of 2

EXHIBIT "A"

SEC 34
TWP 56 S
RGE 39 E

Legal Description
(Fee Simple)

The North 5.00 feet of Lot 16, Block 4 of SUNNY HAVEN according to the plat thereof as recorded in Plat Book 47, Page 6 of the Public Records of Miami-Dade County, Florida.

AND

The external area formed by a 25.00 foot radius arc, concave to the Southeast, tangent to the South line of the North 5.00 feet of said Lot 16 and tangent to the West line of said Lot 16.

MIAMI-DADE PWWM THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPT. LAND DEVELOPMENT/RIGHT-OF-WAY DIVISION ENGINEERING SECTION	PARCEL 7 SW 264 STREET	SCALE: 1" = 30'	DATE: 01-11-13
		CHECKED BY: L. Lacau	
		DRAWN BY: L. Espinosa	
		PROJECT: 20040350	SHEET: 1 of 2