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

MEMORANDUM

Agenda Item No. 8(N)(1)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 17, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving a Maintenance Map for a portion of SW 152 Street between 686 feet East of State Road 5 (US-1) and 960 feet thereof, in Section 28 Township 55 South Range 40 East, authorizing the Chairman and the Clerk of the Board to certify the Maintenance Map and authorizing the County Mayor to record same among the public records of Miami-Dade County, Florida and to take all actions necessary to effectuate same

Resolution No. R-393-16

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

Abigail Price-Williams
County Attorney

APW/cp

Memorandum

MIAMI-DADE COUNTY

Date: May 17, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Approving a Maintenance Map for a Portion of SW 152 Street Between 686 feet East of State Road 5 (US-1) and 960 feet thereof, in Section 28, Township 55 South, Range 40 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 152 Street between 686 feet East of State Road 5 (US-1) and 960 feet thereof, authorizing the Chairman and the Clerk of the Board of County Commissioners to certify the same, and authorizing the recordation thereof in the Public Records of Miami-Dade County (County), Florida.

Scope

The subject road is located within County Commissioner Daniella Levine Cava's District 8.

Fiscal Impact/Funding Source

There is currently no increase in maintenance costs to the County as a result of this action.

Track Record/Monitor

The Department of Transportation and Public Works (DTPW) is the entity overseeing this project and the person responsible for monitoring this conveyance is Leandro Oña, P.E., Chief of the Roadway Engineering and Right-of-Way Division.

Background

Southwest 152 Street between 686 feet East of State Road 5 (US-1) and 960 feet thereof, has been constructed and maintained continuously by the County for over four (4) years. Therefore, in accordance with Section 95.361 of the Florida Statutes, title to a road maintained by the County for over four (4) years shall be deemed to be dedicated to the public and 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 Chairman 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 DTPW, 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 Board, after which it will be certified by the Chairman and the Clerk of the Board and recorded in the Public Records of Miami-Dade County, Florida, in accordance with Section 95.361 of the Florida Statutes.

Both the original and a reproducible of the Maintenance Map are to be executed by the Chairman and Clerk of the Board and returned to DTPW for recording in the Public Records of Miami-Dade County, Florida.

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 17, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(N)(1)

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**

_____ **Statement of social equity 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(N)(1)
5-17-16

RESOLUTION NO. R-393-16

RESOLUTION APPROVING A MAINTENANCE MAP FOR A PORTION OF SW 152 STREET BETWEEN 686 FEET EAST OF STATE ROAD 5 (US-1) AND 960 FEET THEREOF, IN SECTION 28 TOWNSHIP 55 SOUTH RANGE 40 EAST, AUTHORIZING THE CHAIRMAN AND THE CLERK OF THE BOARD TO CERTIFY THE MAINTENANCE MAP AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO RECORD SAME AMONG THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

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 Department of Transportation and Public Works has recommended that an Official Maintenance Map be filed of record to indicate prima facie evidence of ownership, pursuant to the provisions of Section 95.361 of the Florida Statutes, and the County Mayor 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 the matters set forth in the foregoing recitals.

Section 2. This Board approves the Maintenance Map for a portion of SW 152 Street between 686 feet East of State Road 5 (US-1) and 960 feet thereof, in Section 28, Township 55 South, Range 40 East, in Miami-Dade County, and authorizes the Chairman and the Clerk of the

Board to certify same pursuant to Section 95.361 of the Florida Statutes, and directs the County Mayor or Mayor's designee to file same with the Clerk of the Circuit Court of Miami-Dade-County and to take all actions necessary to effectuate same.

Section 3. Pursuant to Resolution No. 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 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 **Rebeca Sosa** , who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of May, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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. (For DH)

Debra Herman

AFFIDAVIT

THIS IS TO CERTIFY THAT I, Antolin Ruiz, Chief of Road, Bridge and Canal Maintenance Division of the Miami-Dade County Department of Transportation and Public Works have determined, to the best of my knowledge, that Miami-Dade County road forces have maintained the pavement, a concrete sidewalk and swale along SW 152 Street Between 686 feet East of State Road 5 (US-1) and 960 feet thereof, in unincorporated Miami-Dade County, for at least four (4) years.

Antolin Ruiz, Jr., Chief
Road, Bridge and Canal Maintenance Division Miami-Dade County
Department of Transportation and Public Works

STATE OF FLORIDA
COUNTY OF DADE

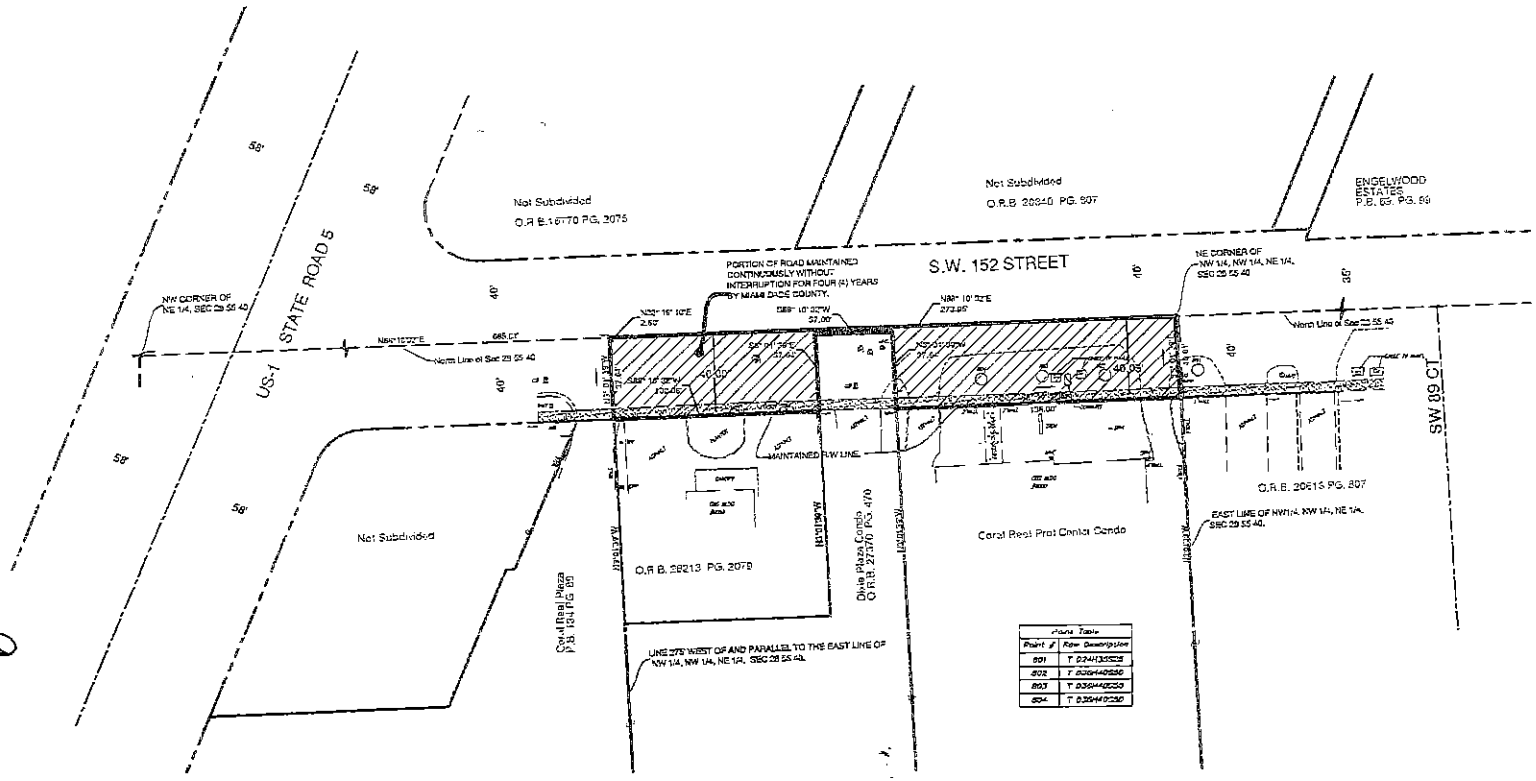
The foregoing instrument was acknowledged before me this 21 day of October, 2015 by Antolin Ruiz, Jr., who is personally known to me and who did take and oath.

John M. White
NOTARY PUBLIC STATE OF FLORIDA

MY COMMISSION EXPIRES: 4/20/2016

COMMISSION/SERIAL NO. EE189037

Notary Public State of Florida
John M White
My Commission EE 189037
Expires 04/20/2016



Point #	Raw Description
501	T 0244135525
502	T 0394140550
503	T 0394140550
504	T 0394140550

LEGEND	
SQ. FT.	SQUARE FEET
R	RADIUS OF THE CURVE
L	LENGHT OF THE CURVE
CA	CENTRAL ANGLE OF THE CURVE
R/W	RIGHT OF WAY
SEC.	SECTION
O.R.	DEED BOOK
E/P	EDGE OF THE PAVEMENT
P	PROPERTY LINE
P.B.	PLAT BOOK
PG.	PAGE
	EXISTING RIGHT OF WAY LINE
	PROPERTY LINE
	QUARTER SECTION LINE
	SECTION LINE
	CENTER LINE
	CHAIN LINK FENCE
	EDGE OF THE PAVEMENT
	MAINTAINED R/W LINE
	EASEMENT LINE
MW	MONITORING WELL
SPH	SPRINKLER HEAD
HHE	HANDHOLE ELECTRIC
SV	SEWER VALVE
MHS	SEWER MANHOLE
CB	CATCH BASIN
TREE	TREE
WPP	WOOD POWER POLE
CONC	CONCRETE
SWK	SIDEWALK
WMT	WATER METER
MW	MAIL BOX
CPP	CONCRETE POWER POLE

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 Department of Transportation and Public Works 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. 2015.

ACCEPTED FOR FILES and recorded in the Public Records of Miami-Dade County,Florida this day____ of_____A.D. 2015, at _____M. in Road Map Book _____ at Page ____.

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

by: _____
Deputy Clerk

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. 2015.

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 roadway as shown cross hatched on this Map have been maintained continuously for four (4) years immediately past, without interruption or disturbance within the limits depicted hereon: SW 152nd Street between 686' East of State Road 5 US-1 and 950' thereof, Miami-Dade County, Florida.

_____
Chief, Road, Bridge and Canal Maintenance Division

SURVEYOR'S NOTES:

-BEARINGS ARE BASED ON ASSUMED BEARING OF N88°10'32"E ALONG THE NORTH LINE OF NW ¼ OF SECTION 28-55-40, MIAMI DADE COUNTY FLORIDA.

-PROPERTY BOUNDARIES DETERMINED FROM PLATS OF RECORD, FIELD SURVEY AND RECORD TITLE.

-THIS MAINTENANCE MAP IS SUPPORTED BY A SPECIAL PURPOSE SURVEY DATED 8-10-15 PREPARED UNDER THE RESPONSIBLE CHARGE OF SCOTT RIGGS FOR MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS, SURVEY SECTION. 111 NW 1ST STREET, 16TH FLOOR, IN MIAMI-DADE COUNTY, FLORIDA 33128. (305) 375-2835

-ALL DISTANCES ARE BASED UPON THE U.S. SURVEY FOOT (1 FOOT=1200/3937M).

GRAPHIC SCALE
0 15 30 60
(IN FEET)
1 INCH = 30 FEET

MAINTENANCE MAP	MIAMI-DADE COUNTY, DEPARTMENT OF TRANSPORTANTION AND PUBLIC WORKS RIGHT-OF-WAY ENGINEERING SECTION RIGHT-OF-WAY DIVISION	MIAMI-DADE COUNTY	REVISION / BY / DATE		BY / DATE	SUBMITTED BY: G. Hamilton PSM, R/W Engineer — DATE	S.W. 152nd Street and US-1/SR-6	MAPS PREPARED BY: MIAMI-DADE COUNTY RIGHT-OF-WAY ENG. SECTION RIGHT-OF-WAY DIVISION	FIELD BOOK NO.: 3
				PREPARED	A. Frago 8/10/15				SCALE: 1" = 30'
				DRAWN	A. Frago	APPROVED BY: G. Miranda PE, Assistant Director — DATE		PROJECT 20130173	SHEET 1 OF 1
				CHECKED	J.Tirado 04/2014				