

MEMORANDUM

Agenda Item No. 8(N)(1)

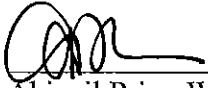
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: June 5, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving a Maintenance Map for a portion of NE 2 Avenue between NE 20 Street and NE 36 Street, in Sections 25 and 36, Township 53 South, Range 41 East, and Sections 30 and 31, Township 53 South, Range 42 East, authorizing the Chairman and the Clerk of the Board to certify the Maintenance Map, and authorizing the County Mayor to take all actions necessary to effectuate same, and authorizing the recording thereof among the public records of Miami-Dade County, Florida

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.



Abigail Price-Williams
County Attorney *JA*

APW/smm

Memorandum



Date: June 5, 2018

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Subject: Resolution Approving a Maintenance Map for a Portion of NE 2 Avenue Between NE 20 Street and NE 36 Street, Authorizing the Chairman and the Clerk of the Board of County Commissioners to Certify the Maintenance Map, and Authorizing the Recording Thereof Among the Public Records of Miami-Dade County, Florida

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution approving a Maintenance Map for a portion of NE 2 Avenue, between NE 20 Street and NE 36 Street, authorizing the Chairman and the Clerk of the Board to certify same, and authorizing the recordation thereof in the Public Records of Miami-Dade County (County), Florida.

Scope

The subject road is located within District 3, which is represented by Vice Chairwoman Audrey M. Edmonson.

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 Roadway Engineering and Right-of-Way Division.

Background

NE 2 Avenue, between NE 20 Street and NE 36 Street, has been maintained continuously by DTPW for over seven years. Therefore, in accordance with Section 95.361, Florida Statutes, title to a road maintained by the County for over seven 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 Chairman and the Clerk of the Board, is deemed prima facie evidence of that ownership by the County.

The Maintenance Map attached to the Resolution has been executed by the Assistant Director of Construction and Maintenance of DTPW, thereby certifying that the County has maintained this road for over seven 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.

Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners
Page 2

Both the original and the reproducible of the Maintenance Map are to be executed by the Chair 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

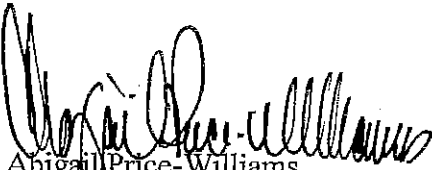


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: June 5, 2018

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)
6-5-18

RESOLUTION NO. _____

RESOLUTION APPROVING A MAINTENANCE MAP FOR A PORTION OF NE 2 AVENUE BETWEEN NE 20 STREET AND NE 36 STREET, IN SECTIONS 25 AND 36, TOWNSHIP 53 SOUTH, RANGE 41 EAST, AND SECTIONS 30 AND 31, TOWNSHIP 53 SOUTH, RANGE 42 EAST, AUTHORIZING THE CHAIRMAN AND THE CLERK OF THE BOARD TO CERTIFY THE MAINTENANCE MAP, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME, 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 the Department of Transportation and Public Works has recommended that an Official Maintenance Map, stating that such road has vested in the County, 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 with 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 for in the foregoing recitals.

Section 2. The Board approved the Maintenance Map for a portion of NE 2 Avenue between NE 20 Street and NE 36 Street in Sections 25 and 36, Township 53 South, Range 41 East, and Sections 30 and 31 Township 53 South, Range 42 East, attached as Exhibit "A", and

authorizes the Chairman and the Clerk of the Board to certify same pursuant to Section 95.361 of the Florida Statutes, and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate same.

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 attached and permanently store a recorded copy of said instruments together with this resolution.

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

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Daniella Levine Cava	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
District 5 - Vacant	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2018. 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: _____
Deputy Clerk

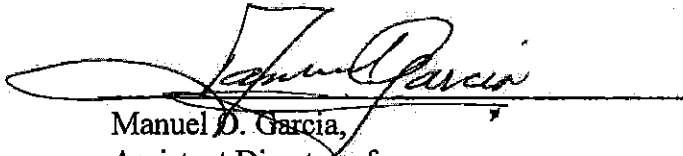
Approved by County Attorney as
to form and legal sufficiency.



Debra Herman

AFFIDAVIT

THIS IS TO CERTIFY THAT I, Manuel O. Garcia, Assistant Director of Construction and Maintenance 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 along NE 2 Avenue between NE 20 Street and NE 36 Street, the pavement, signing, concrete sidewalks, curb and gutters, drainage, and swales of the road thereof, in Miami-Dade County, Florida, for at least seven (7) years.

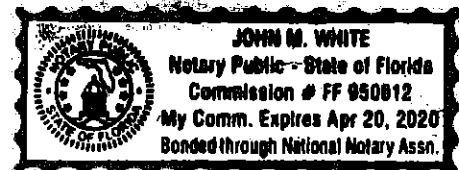


Manuel O. Garcia,
Assistant Director of
Construction and Maintenance
Department of Transportation and Public Works
Miami-Dade County

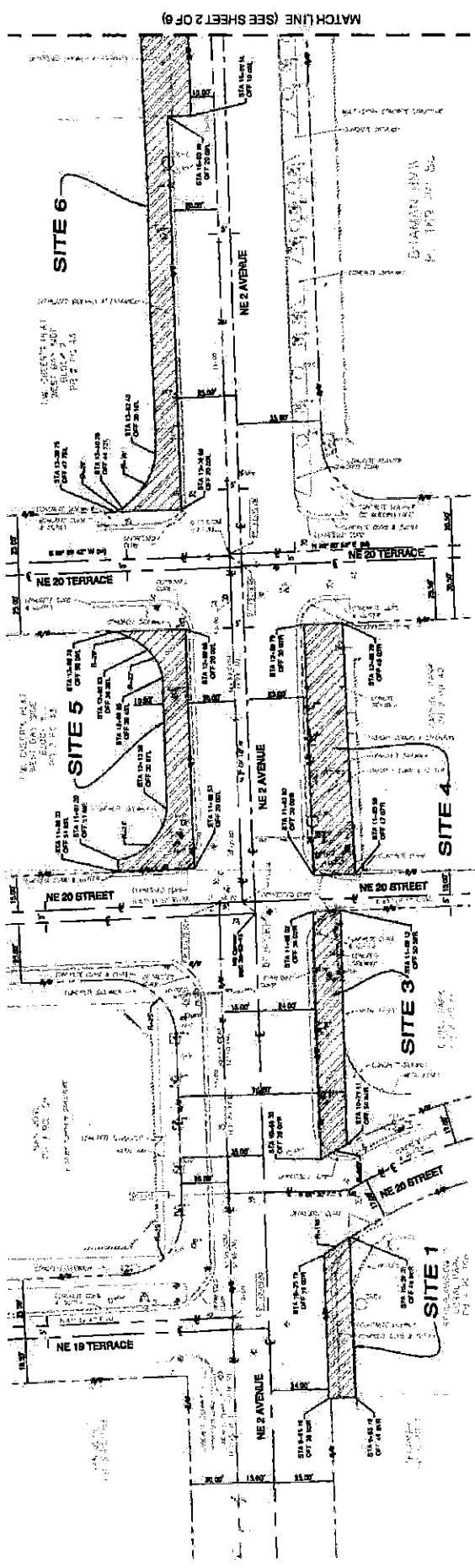
STATE OF FLORIDA
COUNTY OF DADE

The foregoing instrument was acknowledged before me this 26 day of Feb., 2018 by Manuel O. Garcia, who is personally known to me and who did take and oath.


NOTARY PUBLIC STATE OF FLORIDA



MY COMMISSION EXPIRES: 4/20/20
COMMISSION/SERIAL NO. FF 950812



THE PROPERTY shown on this map has been used in Miami-Dade County for the purposes of other public purposes, including, but not limited to, the following:

IN WISDOM HEREBY we have authorized and approved the use of the County Commission of Miami-Dade County, Florida, in the _____ day of _____, A.D. 2018.

ALICE HARRY JAMES, Clerk
by: _____ Clerk

MADE IN MIAMI-DADE COUNTY, FLORIDA
by: _____ Clerk

THIS IS TO CERTIFY that the above described property and other public purposes have been used for the purposes of other public purposes, including, but not limited to, the following:

IN WISDOM HEREBY we have authorized and approved the use of the County Commission of Miami-Dade County, Florida, in the _____ day of _____, A.D. 2018.

MICHAEL D. GONZALES, Clerk
by: _____ Clerk

MADE IN MIAMI-DADE COUNTY, FLORIDA
by: _____ Clerk

THIS IS TO CERTIFY that the above described property and other public purposes have been used for the purposes of other public purposes, including, but not limited to, the following:

IN WISDOM HEREBY we have authorized and approved the use of the County Commission of Miami-Dade County, Florida, in the _____ day of _____, A.D. 2018.

ALICE HARRY JAMES, Clerk
by: _____ Clerk

MADE IN MIAMI-DADE COUNTY, FLORIDA
by: _____ Clerk

SURVEYOR'S NOTES

BEARINGS ARE BASED ON STATE PLANE COORDINATES, EAST ZONE ADJUSTED, AND ARE REFERENCED TO A POINT WITHIN THE FOLLOWING PROJECT CONTROL POINTS, ESTABLISHED AS SHOWN ABOVE:

POINT 317: N 13° 07' 30.00" E, 177,001.200 AS SHOWN ABOVE.
THE POINT HAS A BEARING OF 180° 00' 00".

POINTS, STREETS, BLOCKS, AND LOTS SHOWN ARE DERIVED FROM PLATS OF RECORD, FIELD SURVEY AND RECORD TILL.

THIS MAINTENANCE MAP IS DERIVED FROM FIELD SURVEY DATED 3-10-18 AND IS SUBJECT TO THE FIELD SURVEY REPORT AND THE FIELD SURVEY WORKSHEET, BOTH OF WHICH ARE ON FILE IN THE OFFICE OF THE COUNTY ENGINEER, SURVEY SECTION, 111 NW 1ST STREET, 16TH FLOOR, MIAMI-DADE COUNTY, FLORIDA 33135.

ALL DIMENSIONS ARE BASED UPON THE U.S. SURVEY FOOT.
(1 FOOT=1200/3048 MM).

LEGEND

--- 1/4" = 1' SCALE

--- 1/2" = 1' SCALE

--- 3/4" = 1' SCALE

--- 1" = 1' SCALE

--- 1 1/2" = 1' SCALE

--- 2" = 1' SCALE

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--- 4" = 1' SCALE

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--- 12" = 1' SCALE

--- 18" = 1' SCALE

--- 24" = 1' SCALE

--- 36" = 1' SCALE

--- 48" = 1' SCALE

--- 60" = 1' SCALE

--- 72" = 1' SCALE

--- 84" = 1' SCALE

--- 96" = 1' SCALE

--- 108" = 1' SCALE

--- 120" = 1' SCALE

--- 132" = 1' SCALE

--- 144" = 1' SCALE

--- 156" = 1' SCALE

--- 168" = 1' SCALE

--- 180" = 1' SCALE

MAINTENANCE MAP

MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
RIGHT-OF-WAY DIVISION
ENGINEERING SECTION

MIAMI-DADE COUNTY

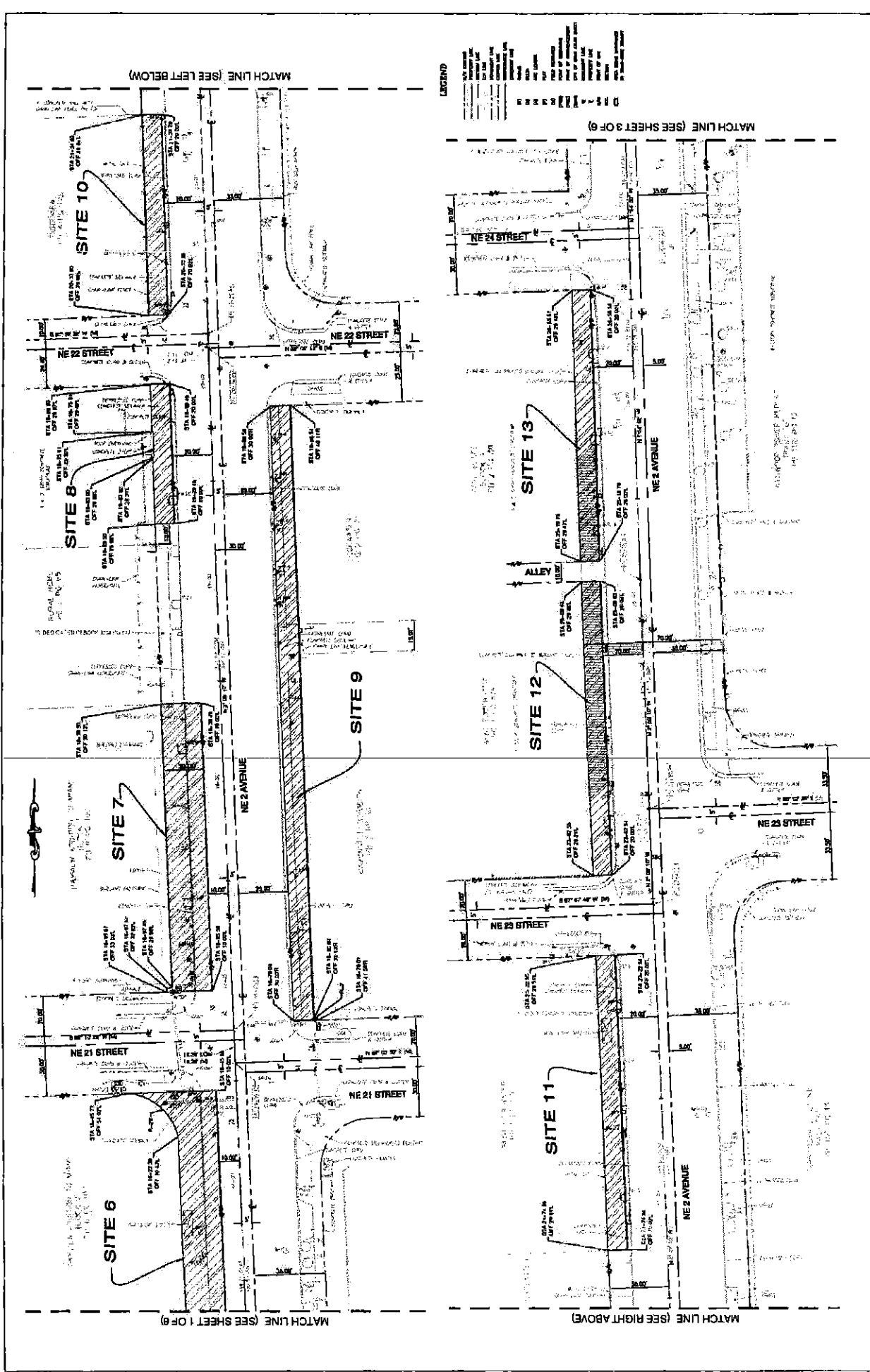
NE 2nd Avenue
from NE 20 St. to NE 30 St.

FIELD BOOK NO. _____
DATE OF FIELD SURVEY _____
DATE OF PLOTTING _____
PROJECT NUMBER _____

DRAWN BY _____
CHECKED BY _____
DATE _____

SCALE: _____

SHEET 1 OF 1



LEGEND

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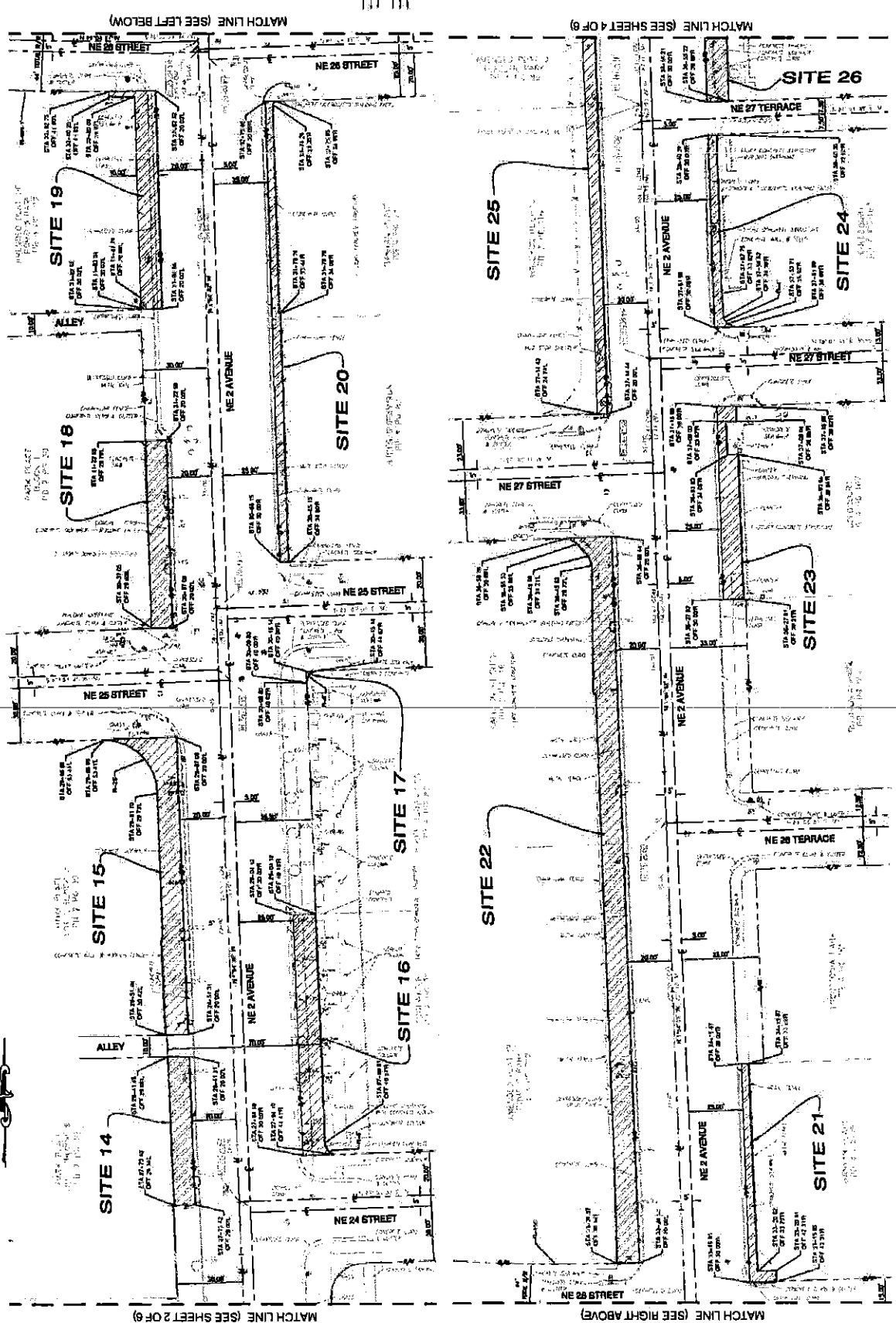
MAINTENANCE MAP
 MIAMI-DADE COUNTY DEPARTMENT
 OF TRANSPORTATION AND PUBLIC WORKS
 ROAD AND AIRWAY DIVISION
 ENGINEERING SECTION

NE 2nd Avenue
 from NE 20 ST. to NE 24 ST.

SHEET NO. 1 OF 1

DATE: _____
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MAINTENANCE MAP

MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
 DIVISION OF HIGHWAY MAINTENANCE
 MAINTENANCE SECTION

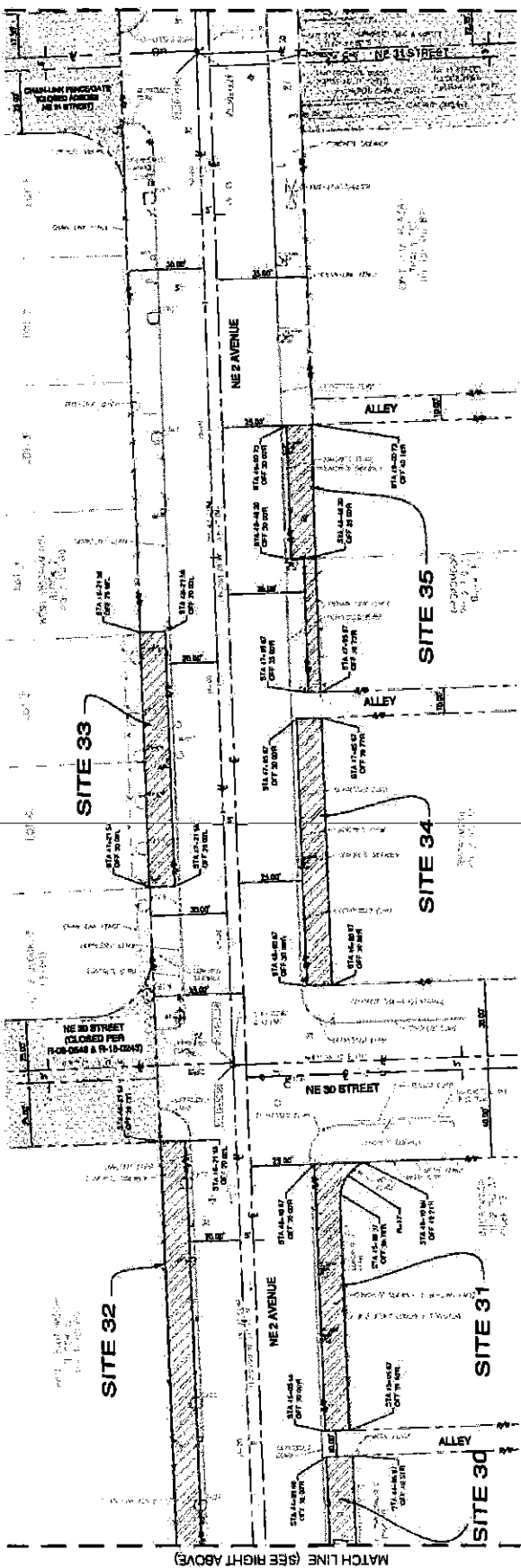
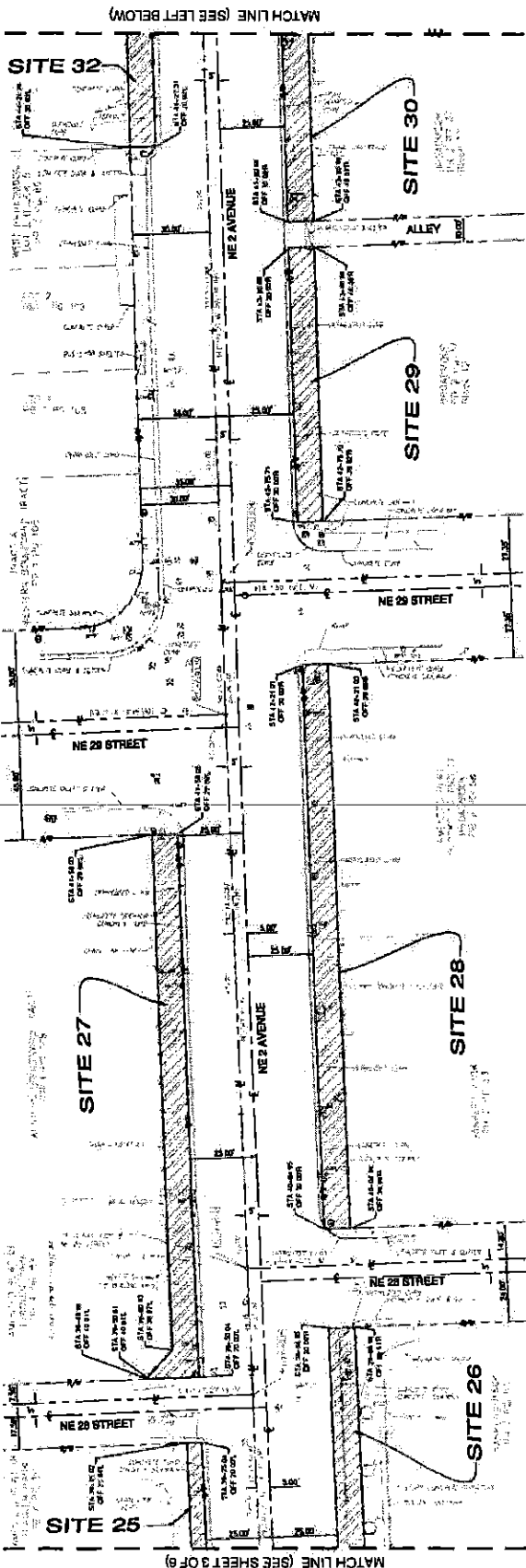
MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
 DIVISION OF HIGHWAY MAINTENANCE
 MAINTENANCE SECTION

NE 2nd Avenue
 From NE 20 ST. to NE 30 ST.

DATE: 11/15/11
 DRAWN BY: J. BROWN
 CHECKED BY: J. BROWN
 APPROVED BY: J. BROWN

SCALE: 1" = 20'

PAGE 1 OF 1



- LEGEND**
- Proposed Right-of-Way
 - Proposed Easement
 - Proposed Utility
 - Proposed Structure
 - Proposed Pavement
 - Proposed Fencing
 - Proposed Landscaping
 - Proposed Signage
 - Proposed Lighting
 - Proposed Stormwater Management
 - Proposed Traffic Calming
 - Proposed Safety Features
 - Proposed Accessibility
 - Proposed Security
 - Proposed Other

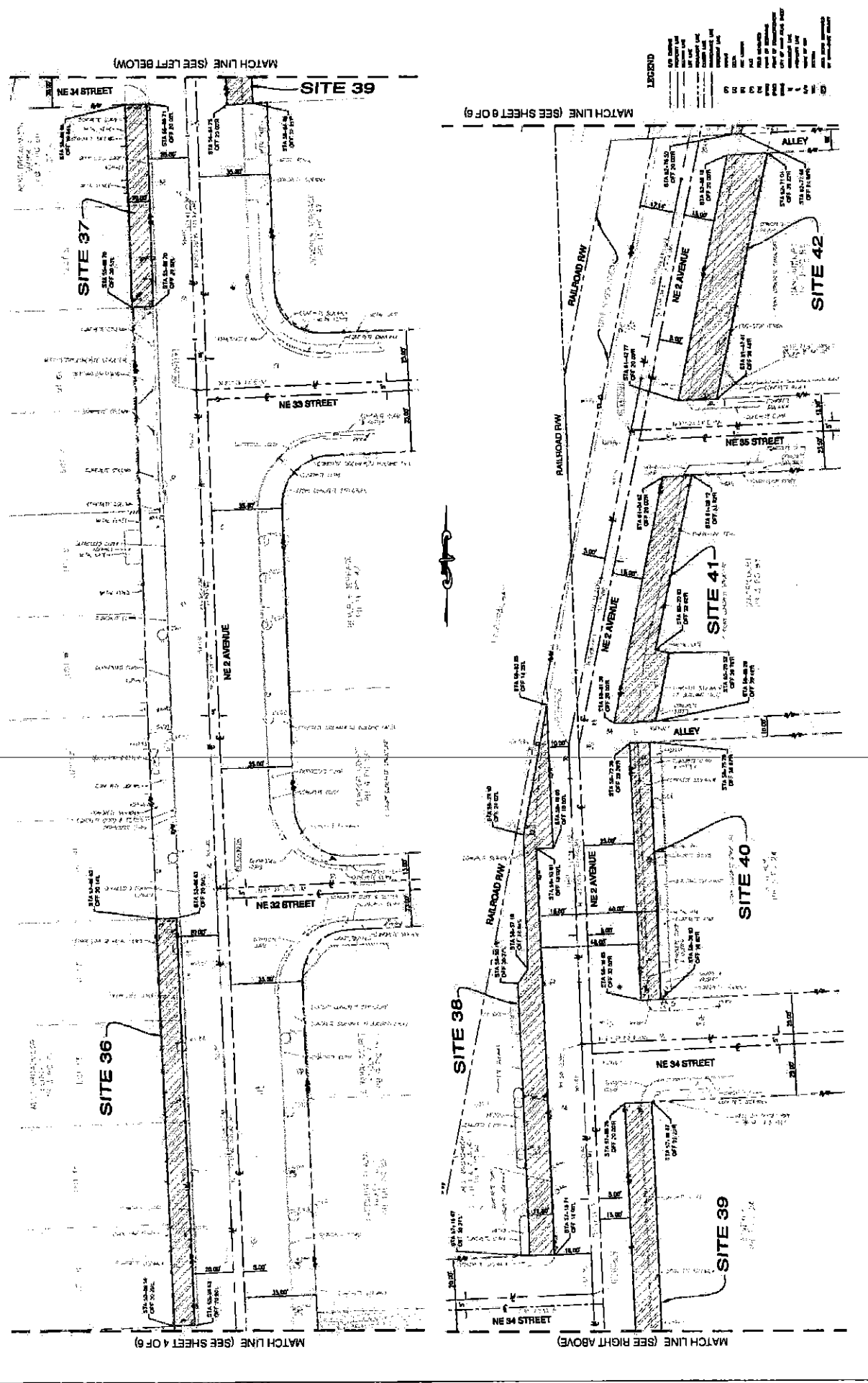
MAINTENANCE MAP

MIAMI-DADE COUNTY DEPARTMENT
OF TRANSPORTATION AND PUBLIC WORKS
RIGHT-OF-WAY DIVISION
ENGINEERING SECTION

MAINTENANCE

NE 2nd Avenue
From NE 29 St. to NE 30 St.

DATE	BY	CHECKED	APPROVED	PROJECT	SHEET NO.	TOTAL SHEETS



MAINTENANCE MAP

MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
 STREET-OF-WAY DIVISION
 ENGINEERING SECTION

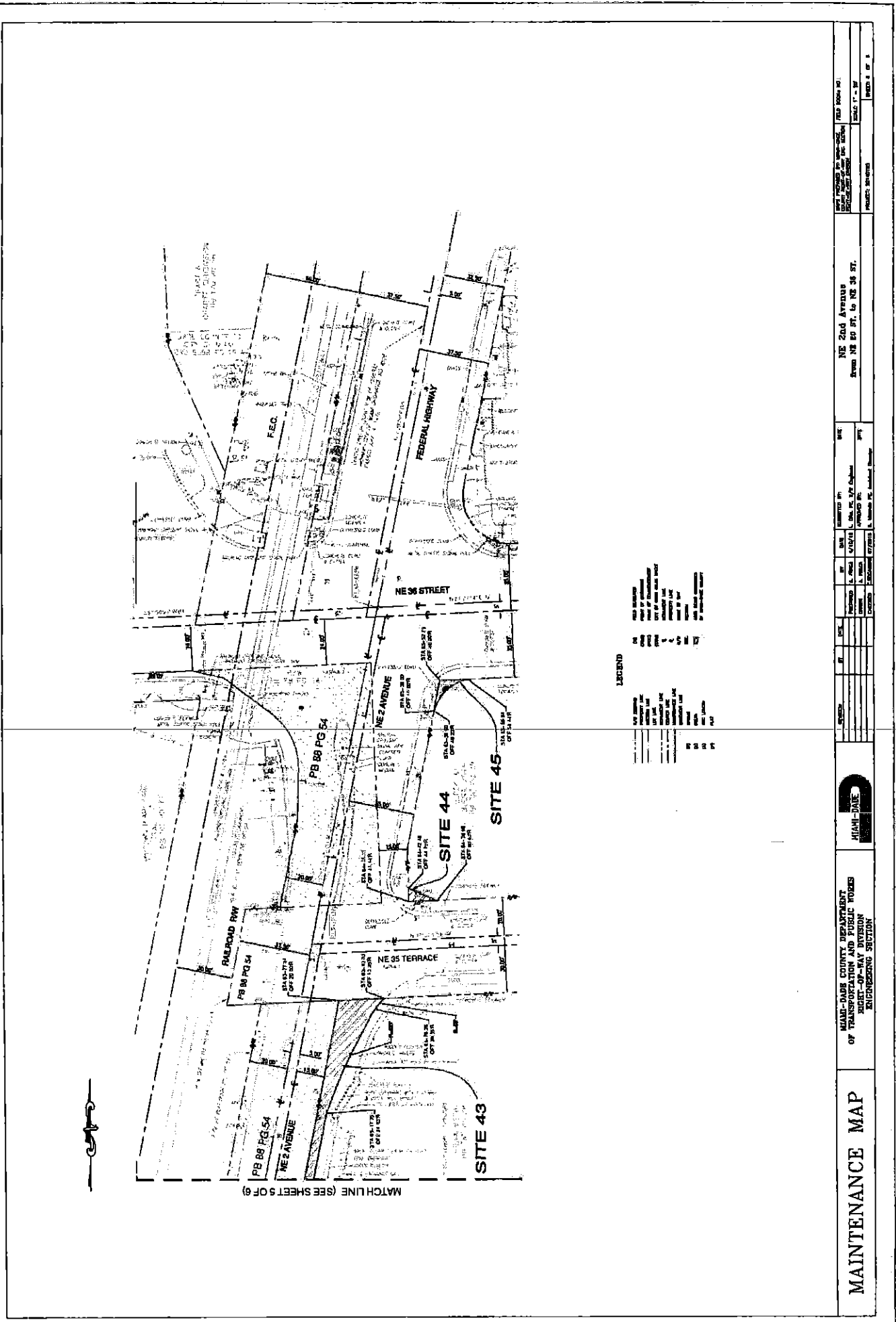
MIAMI-DADE

DATE: 10/20/11
 DRAWN BY: J. L. ...
 CHECKED BY: ...
 PROJECT NUMBER: ...

NE 2nd Avenue
 from NE 50 FT. to NE 96 FT.

LEGEND

- STANDARD OFF-RAMP
- RAILROAD RW
- ALLEY
- ...



MATCH LINE (SEE SHEET 5 OF 6)

LEGEND

EXISTING PAVEMENT
 PROPOSED PAVEMENT
 EXISTING UTILITY LINES
 PROPOSED UTILITY LINES
 EXISTING SIDEWALKS
 PROPOSED SIDEWALKS
 EXISTING CURBS
 PROPOSED CURBS
 EXISTING DRIVEWAYS
 PROPOSED DRIVEWAYS
 EXISTING INTERSECTIONS
 PROPOSED INTERSECTIONS
 EXISTING ROADWAYS
 PROPOSED ROADWAYS
 EXISTING RAILROADS
 PROPOSED RAILROADS

MAINTENANCE MAP				MIAMI-DADE				NE 2nd Avenue From NB 81 St. to NE 36 St.			
MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS SECTION ON SURVEYING SECTION				DATE BY PROJECT NUMBER				DATE BY PROJECT NUMBER			
DATE BY PROJECT NUMBER				DATE BY PROJECT NUMBER				DATE BY PROJECT NUMBER			