

# MEMORANDUM

Agenda Item No. 5(K)

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**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** October 5, 2021

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution granting petition to  
close the alley east of NW 7  
Avenue from NW 151 Street to  
NW 152 Street (Alley Closing  
Petition No. P-957)

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




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Geri Bonzon-Keenan  
County Attorney

GBK/uw

**Date:** October 5, 2021

**To:** Honorable Chairman Jose “Pepe” Diaz  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Alley Closing Petition P-957  
Section: 13-52-41  
Alley East of NW 7 Avenue from NW 151 Street to NW 152 Street  
Commission District: 2

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## **Recommendation**

It is recommended that the Board of County Commissioners (Board) grant Alley Closing Petition P-957, attached to this Memorandum as Exhibit “2”, following a public hearing, while reserving a non-exclusive utility and drainage easement over, above, through, and across the land, attached as Exhibit “3”. The Miami-Dade County Departments of Regulatory and Economic Resources, Transportation and Public Works (DTPW), Water and Sewer, and Fire Rescue have no objection to this alley being closed. This alley is unimproved broken asphalt and is currently used for vehicular parking. A location map is attached as Exhibit “1”.

## **Scope**

This alley closing is located within Commissioner Jean Monestime’s District 2.

## **Fiscal Impact/Funding Source**

The Property Appraiser’s Office has assessed the adjacent properties to this alley at an average of \$11.84 per square foot. Therefore, the estimated value of this alley would be approximately \$52,848.00. If this alley is closed and vacated, the land will be placed on the tax roll, generating an estimated \$935.00 per year in additional property taxes. The fee for this road closing is \$7,244.80.

## **Track Record/Monitor**

DTPW is the entity overseeing this project and the person responsible for monitoring is Mr. Leandro Oña, Chief, Highway Engineering and Right-of-Way Division.


## **Delegated Authority**

There is no delegation of authority associated with this item.

## **Background**

The petitioner, Double DK Properties LLC, wishes to close the alley East of NW 7 Avenue from NW 151 Street to NW 152 Street, in order to incorporate the subject lands into its property for development purposes. The alley being closed has never been improved nor maintained by Miami-Dade County. The petitioner states that the subject lands are not needed for access to adjoining properties.

The subject right-of-way was dedicated in 1936, by the plat of BRANDON PARK SECTION “A”, recorded in Plat Book 34, Page 77, of the Public Records of Miami-Dade County, Florida. The areas abutting the subject right-of-way are zoned RU-1 (Single Family Residential District), BU-1 (Business District) and RU-4A (Hotel/Motel District).

  
\_\_\_\_\_  
Jimmy Morales  
Chief Operations Officer

# EXHIBIT 1- Location Map

SECTION 13 TOWNSHIP 52 S RANGE 41 E



This is not a survey

## P- 957

Municipality: UNINCORPORATED MIAMI-DADE  
Commission District: Jean Monestime 2

### Legend



P-957 ROAD CLOSING

MIAMI-DADE COUNTY  
Department of Transportation & Public Works  
Roadway Engineering and Right-of-Way Division  
111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128  
PH (305) 375-2714 FAX (305) 375-2825

Date: February 04, 2020  
Prepared by: ym

## EXHIBIT 2

### 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:

LAND DESCRIPTION: 15' ALLEY TO BE VACATED (PREPARED BY THIS FIRM)

A 15 FOOT WIDE ALLEY LOCATED IN SECTION 13, TOWNSHIP 52 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LYING EAST OF LOTS 1, 2, 3, 4, 5, 6 7, 8, 9, 10, 11, AND 12 OF BLOCK 8, AND LYING WEST OF LOTS 13 AND 24 OF BLOCK 8, OF BRANDON PARK, SECTION "A", A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 34, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 3/4" IRON PIPE (NO IDENTIFICATION) MARKING THE SOUTHWEST CORNER OF SAID SECTION 13; THENCE RUN NORTH 87°05'01" EAST, A DISTANCE OF 134.91 FEET; THENCE RUN NORTH 02°46'58" WEST, A DISTANCE OF 40.00 FEET TO A NAIL AND DISK (LB 7996), SAID POINT LYING AND BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF N.W. 151ST STREET (RIGHT-OF-WAY WIDTH VARIES), AND BEING THE POINT OF BEGINNING; THENCE, LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, CONTINUE NORTH 02°46'58" WEST, ALONG THE EAST LINE OF LOTS 7, 8, 9, 10, 11, AND 12, OF BLOCK 8, OF SAID BRANDON PARK, SECTION "A", A DISTANCE OF 146.64 FEET TO A 1/2" OPEN PIPE (NO IDENTIFICATION) MARKING THE NORTHEAST CORNER OF LOT 7, OF BLOCK 8; THENCE CONTINUE NORTH 02°46'58" WEST, ALONG THE EAST LINE OF SAID LOTS 1, 2, 3, 4, 5, AND 6, OF BLOCK 8, A DISTANCE OF 151.03 FEET TO A 1/2" OPEN PIPE WITH CAP (RLS 3103) MARKING THE NORTHEAST CORNER OF SAID LOT 1 AND BEING ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 152ND STREET; THENCE NORTH 87°06'06" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO A 1/2" REBAR & CAP (LB 7996) MARKING THE NORTHWEST CORNER OF SAID LOT 24, OF BLOCK 8; THENCE, LEAVING SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 02°46'58" EAST, ALONG THE WEST LINE OF SAID LOT 24, A DISTANCE OF 151.38 FEET TO A 1/2" REBAR & CAP (LB 7996) MARKING THE NORTHWEST CORNER OF SAID LOT 13 OF BLOCK 8; THENCE CONTINUE SOUTH 02°46'58" EAST, ALONG THE WEST LINE OF SAID LOT 13, OF BLOCK 8, A DISTANCE OF 146.29 FEET TO A NAIL & DISK (LB 7996) ON THE NORTHERLY RIGHT-OF-WAY OF SAID N.W. 151ST STREET; THENCE, LEAVING SAID WEST LINE, RUN SOUTH 87°05'01" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4,465.01 SQUARE FEET, MORE OR LESS.

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):

- Plat Book 34, Page 77, in the Official 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.

<u>PRINT NAME</u>	<u>FOLIO NO.</u>	<u>ADDRESS</u>
Peleg Group (USA) LLC	30-2113-003-0560	N/A
Peleg Group (USA) LLC	30-2113-003-0570	15155 NW 7 Avenue
Double DK Properties LLC	30-2113-003-0590	N/A
Double DK Properties LLC	30-2113-003-0600	N/A
Double DK Properties LLC	30-2113-003-0610	N/A
Double DK Properties LLC	30-2113-003-0620	665 NW 151 Street
Double DK Properties LLC	30-2113-003-0750	670 NW 152 Street








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. GROUND 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):

The applicant respectfully requests that this road closing petition be granted for the following reasons: The requested alley right-of-way that is proposed to be closed has never been used for any right-of-way purpose nor has it ever been improved for public access. The vacation of the alley right-of-way would help provide for several alternative site plan designs that focus on enhancing the use of the property. The alley immediately south of the right-of-way to be closed between NW 150 Street and NW 151 Street, was closed by the approval of a road closure application referenced by Resolution No. R-773-96. Additionally, there is no reason or necessity, now or in the future, that would give rise to any kind of support for allowing the alley right-of-way proposed to be closed to provide access to any of the adjacent properties.

7. Signatures of all abutting property owners:

Respectfully submitted,

<u>SIGNATURE</u>	<u>FOLIO NO.</u>	<u>ADDRESS</u>
 AMI-RAM P. G. S. G.	30-2113-003-0560	N/A
	30-2113-003-0570	15155 NW 7 Avenue
	30-2113-003-0590	N/A
	30-2113-003-0600	N/A
	30-2113-003-0610	N/A
	30-2113-003-0620	665 NW 151 Street
	30-2113-003-0750	670 NW 152 Street
DOUGLAS KRUEGER		



Attorney for Petitioner: James R. Williams Jr., Esq.

Address: 701 Brickell Avenue, Suite 3300  
Miami, Florida 33131  
(Signature of Attorney not required)

STATE OF FLORIDA                    )  
  ) SS  
MIAMI-DADE COUNTY                )

BEFORE ME, the undersigned authority, personally appeared Ami-Ram Peleg  
\_\_\_\_\_, 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

14 day of January, 2020

D Just  
\_\_\_\_\_  
Notary Public State of Florida at Large



Dorian Just  
Commission # GG207624  
Expires: 5/21/2022  
Bonded thru Aaron Notary

My Commission Expires: 5/21/2022



Attorney for Petitioner: James R. Williams Jr., Esq.

Address: 701 Brickell Avenue, Suite 3300  
Miami, Florida 33131  
(Signature of Attorney not required)

STATE OF FLORIDA                    )  
  ) SS  
MIAMI-DADE COUNTY                )

BEFORE ME, the undersigned authority, personally appeared Douglas Krueger, 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.

*Douglas Krueger*  
(Signature of Petitioner)

Sworn and subscribed to before me this

14 day of January, 20020

*[Signature]*  
Notary Public State of Florida at Large

My Commission Expires: 11/28/22



**BOUNDARY SURVEY**  
**15' ALLEY TO BE VACATED**  
**SECTION 13, TOWNSHIP 52 SOUTH, RANGE 41 EAST**  
**MIAMI-DADE COUNTY, FLORIDA**

**LAND DESCRIPTION:** 15' ALLEY TO BE VACATED (PREPARED BY THIS FIRM) A 15 FOOT WIDE ALLEY LOCATED IN SECTION 13, TOWNSHIP 52 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, LYING EAST OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, AND 12 OF BLOCK 8, AND LYING WEST OF LOTS 13 AND 24 OF BLOCK 8, OF BRANDON PARK, SECTION "A", A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 34, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

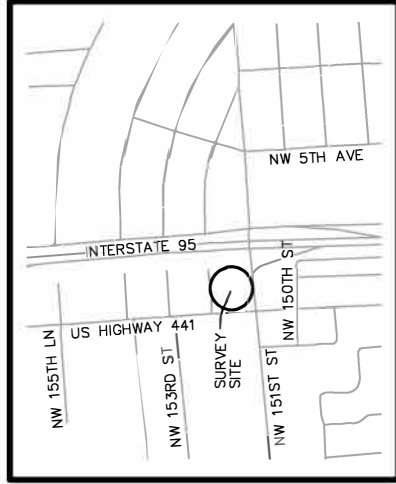
COMMENCE AT A 3/4" IRON PIPE (NO IDENTIFICATION) MARKING THE SOUTHWEST CORNER OF SAID SECTION 13; THENCE RUN NORTH 87°05'01" EAST, A DISTANCE OF 134.91 FEET; THENCE RUN NORTH 02°46'58" WEST, A DISTANCE OF 40.00 FEET TO A NAIL AND DISK (LB 7996), SAID POINT LYING AND BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF N.W. 151ST STREET (RIGHT-OF-WAY WIDTH VARIES), AND BEING THE POINT OF BEGINNING; THENCE, LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, CONTINUE NORTH 02°46'58" WEST, ALONG THE EAST LINE OF LOTS 7, 8, 9, 10, 11, AND 12, OF BLOCK 8, OF SAID BRANDON PARK, SECTION "A", A DISTANCE OF 146.64 FEET TO A 1/2" OPEN PIPE (NO IDENTIFICATION) MARKING THE NORTHEAST CORNER OF LOT 7, OF BLOCK 8; THENCE CONTINUE NORTH 02°46'58" WEST, ALONG THE EAST LINE OF SAID LOTS 1, 2, 3, 4, 5, AND 6, OF BLOCK 8, A DISTANCE OF 151.03 FEET TO A 1/2" OPEN PIPE WITH CAP (RLS 3103) MARKING THE NORTHEAST CORNER OF SAID LOT 1 AND BEING ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 152ND STREET; THENCE NORTH 87°06'06" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO A 1/2" REBAR & CAP (LB 7996) MARKING THE NORTHWEST CORNER OF SAID LOT 24, OF BLOCK 8; THENCE, LEAVING SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 02°46'58" EAST, ALONG THE WEST LINE OF SAID LOT 24, A DISTANCE OF 151.38 FEET TO A 1/2" REBAR & CAP (LB 7996) MARKING THE NORTHWEST CORNER OF SAID LOT 13 OF BLOCK 8; THENCE CONTINUE SOUTH 02°46'58" EAST, ALONG THE WEST LINE OF SAID LOT 13, OF BLOCK 8, A DISTANCE OF 146.29 FEET TO A NAIL & DISK (LB 7996) ON THE NORTHERLY RIGHT-OF-WAY OF SAID N.W. 151ST STREET; THENCE, LEAVING SAID WEST LINE, RUN SOUTH 87°05'01" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING; CONTAINING 4,465.01 SQUARE FEET, MORE OR LESS.

**SURVEYOR'S NOTES:**

1. SURVEY BASED ON MONUMENTATION FOUND AND ACCEPTED, AND ON THE PLAT OF BRANDON PARK, SECTION - "A", AS RECORDED IN PLAT BOOK 34, PAGE 77 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
2. BEARINGS AND HORIZONTAL DATUM ARE BASED ON NAD83 FLORIDA STATE PLANE, EAST ZONE, US FOOT AS ESTABLISHED BY U.S. COAST & GEODETIC (USC&G) HORIZONTAL CONTROL POINTS "H 120" AND "PARK".
3. THE DIGITAL SIGNATURE AND SEAL AS SHOWN ON THIS SURVEY ARE ONLY VALID FOR THIS ELECTRONIC PDF SURVEY FILE.
4. THE PRINTED SURVEY AND REPRODUCTIONS THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
5. NO INSTRUMENTS OF RECORD REFLECTING OFF-SITE EASEMENTS, RIGHT-OF-WAYS, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
6. NORTH ARROW IS BASED ON BEARING STRUCTURE.
7. CERTIFICATION IS NOT TRANSFERABLE.
8. THE PURPOSE OF THIS SURVEY IS TO SHOW BOUNDARY INFORMATION AND IMPROVEMENTS.
9. FENCES, SYMBOLS, MONUMENTATION AND UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE SHOWN TO SCALE.
10. COPIES AND ELECTRONIC FILES OF THIS SURVEY ARE ONLY AVAILABLE TO THE CLIENT FOR 90 DAYS FROM THE DATE OF SIGNATURE. AFTER 90 DAYS, A MINIMUM FEE OF 50% OF THE ORIGINAL SURVEY COST WILL BE ASSESSED.
11. THIS SURVEY COMPLIES WITH THE FLORIDA STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

**FLOOD ZONE:**

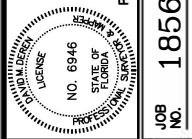
IT IS THE OPINION OF THIS LAND SURVEYOR BASED ON AN INTERPRETATION OF F.I.R.M. PANEL No. 0137 OF 1031, COMMUNITY PANEL No. "120635 0137 L" THAT THIS PROPERTY IS LOCATED IN FLOOD ZONE "AE", (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. BASE FLOOD ELEVATION 7 FEET), MAP EFFECTIVE DATE SEPTEMBER 11, 2009.



LOCATION MAP: NOT TO SCALE

SCALE: 1" = 60'  
 BAR IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

PAGE 1 OF 2  
 DATE: 01-21-2020  
 DRAWN BY: GUY  
 FIELD BOOK: 373/56-62



PROFESSIONAL SURVEYOR & MAPPER FLACERT. 6946  
 JOB NO. 18563  
 ACAD 20-18563-8x11 FILE

DAVID M. DEREN P.S.M.  
 4605 N.W. 6TH STREET, SUITE H  
 GAINESVILLE, FLORIDA 32609  
 PHONE: (352) 331-0010  
 PHONE: (352) 336-3363  
 FAX: (352) 336-1084  
 DERENLANDSURVEYING.COM



# BOUNDARY SURVEY

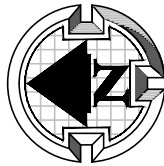
## 15' ALLEY TO BE VACATED

### SECTION 13, TOWNSHIP 52 SOUTH, RANGE 41 EAST MIAMI-DADE COUNTY, FLORIDA

CURVE TABLE			
CURVE #	LENGTH	RADIUS	CHORD BEARING AND DISTANCE
C1	23.60'(R) 23.61'(F)	15.00'(R) 15.00'(F)	S47°50'57"E 21.25'(F)
C2	68.98'(R) 68.99'(F)	43.98'(R) 43.98'(F)	N42°09'01"E 62.13'(F)

LINE TABLE			
LINE #	LINE BEARING AND DISTANCE	ACCURACY COUNTS	KNOW YOUR BOUNDARIES
L1	N02°46'58"W 40.00'(F)		
L2	N87°06'06"E 15.00'(F)		
L3	15.00'(R)		
L4	N88°26'18"E 15.00'(F) S88°26'18"W 15.00'(F)		

SCALE: 1" = 60'  
DEREN LAND SURVEYING  
ACCURACY COUNTS - KNOW YOUR BOUNDARIES



#### LEGEND:

- (R) RECORD MEASUREMENT
- (F) FIELD MEASUREMENT
- ID. IDENTIFICATION
- R/W RIGHT-OF-WAY
- O.R.B. OFFICIAL RECORDS BOOK
- C.C.R. CERTIFIED CORNER RECORD
- DOC. DOCUMENT
- N: NORTHING
- E: EASTING
- ⊙ (NDS) NAIL & DISK SET
- (RCS) REBAR & CAP SET
- (RCF) REBAR & CAP FOUND
- (NDF) NAIL & DISK FOUND
- (OPF) OPEN PIPE FOUND
- (NTF) NAIL & TAB FOUND



AREA TO BE VACATED

—X—X— FENCE LINES

SCALE: 1" = 60'

BAR IS ONE INCH ON ORIGINAL DRAWING

DATE: 01-21-2020

DRAWN BY: GUY

FIELD BOOK: 373/56-62

IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

PAGE 2 OF 2

NO. 6946

STATE OF FLORIDA

PROFESSIONAL SURVEYOR & MAPPER FLACERT, 6946

JOB NO. 18563

ACAD 20-18563-8x11

FILE: 18563

PROFESSIONAL SURVEYOR & MAPPER FLACERT, 6946

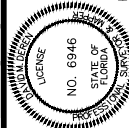
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STATE OF FLORIDA

PROFESSIONAL SURVEYOR & MAPPER FLACERT, 6946

JOB NO. 18563

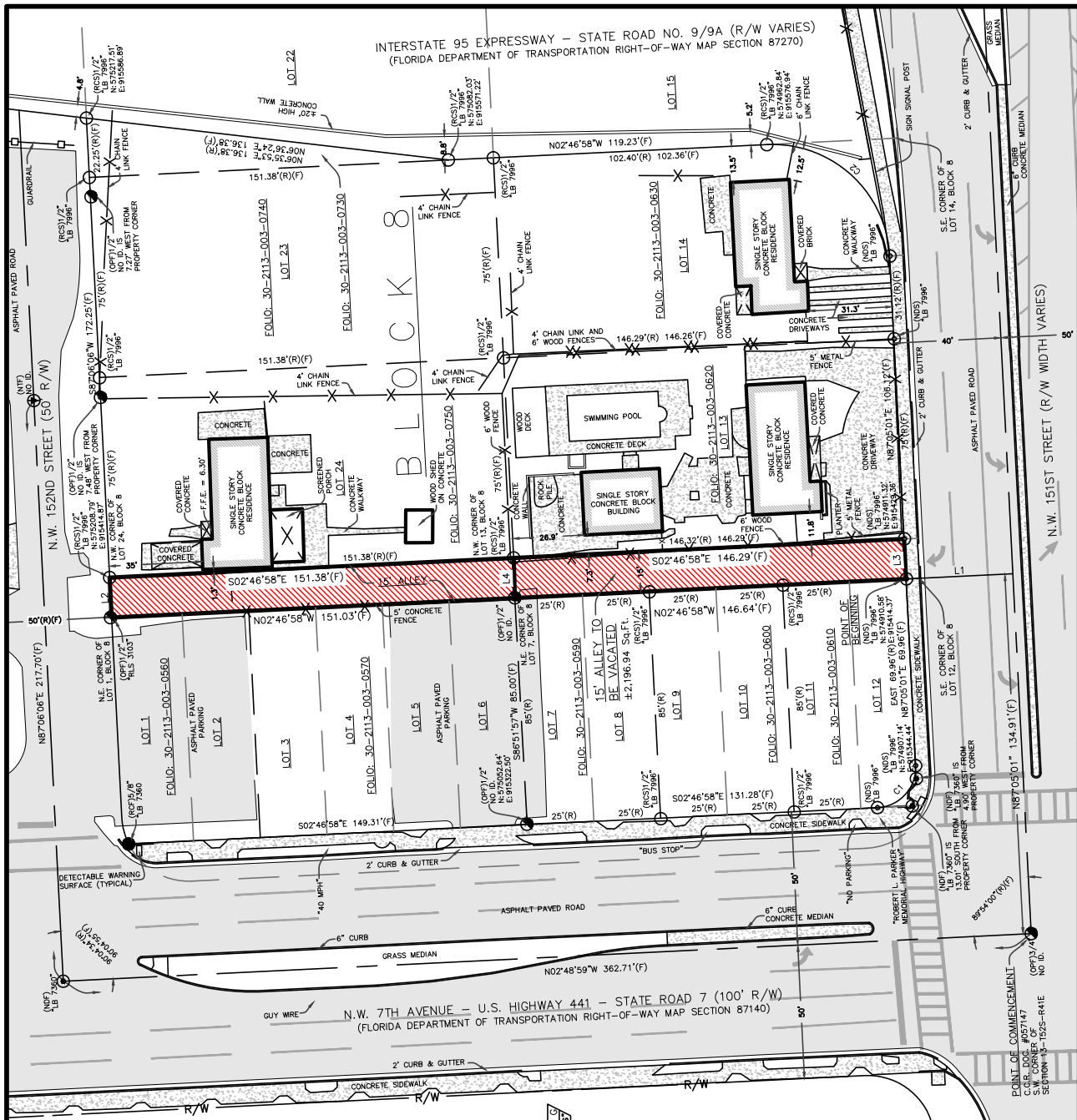
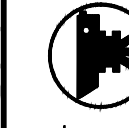
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DAVID M. DEREN P.S.M.  
4605 N.W. 6TH STREET, SUITE H  
GAINESVILLE, FLORIDA 32609

PHONE: (352) 331-0010  
PHONE: (352) 336-3363  
FAX: (352) 338-1084  
DERENLANDSURVEYING.COM

DEREN LAND SURVEYING







**Exhibit "3"**

**I HEREBY CERTIFY**, that on this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2020 before me, an officer duly authorized to administer oaths and take

acknowledgments, \_\_\_\_\_ personally \_\_\_\_\_ appeared and \_\_\_\_\_, personally known to me, or proven, by producing \_\_\_\_\_ the \_\_\_\_\_ following \_\_\_\_\_ identification: \_\_\_\_\_ to be the \_\_\_\_\_ President and \_\_\_\_\_ Secretary of \_\_\_\_\_, a corporation under the laws of the State of \_\_\_\_\_, and in whose name the foregoing instrument is executed and that said officer(s) severally acknowledged before me that \_\_\_\_\_ executed said instrument acting under the authority duly vested by said corporation and its Corporate Seal is affixed thereto.

**WITNESS** my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

\_\_\_\_\_

Notary Signature

\_\_\_\_\_

Printed Notary Name

+  
NOTARY SEAL/STAMP

Notary Public, State of Florida

My commission expires: \_\_\_\_\_

Commission/Serial No. \_\_\_\_\_



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** October 5, 2021

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

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

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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. 5(K)  
10-5-21

RESOLUTION NO. \_\_\_\_\_

RESOLUTION GRANTING PETITION TO CLOSE THE ALLEY  
EAST OF NW 7 AVENUE FROM NW 151 STREET TO NW 152  
STREET (ALLEY CLOSING PETITION NO. P-957)

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

**WHEREAS**, Alley Closing Petition No. P-957 was signed by all property owners abutting on the alley sought to be closed; and

**WHEREAS**, a public hearing was held in compliance with Resolution No. 7606,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** The alley, avenue, street, highway or other place used for travel as described in the petition attached as Exhibit “2” to the Mayor’s Memorandum is hereby vacated, abandoned, and closed.

**Section 2.** All rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed, save and except that the land is reserved as an non-exclusive drainage and utility easement, attached as Exhibit “3” to the Mayor’s Memorandum.

**Section 3.** It is found that the action will serve a public purpose and benefit the public without violating private property rights.

**Section 4.** The procedure utilized in the adoption of this resolution is expressly ratified and approved.

**Section 5.** Pursuant to Resolution No. 7606, 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 and the County Mayor or County Mayor's designee shall record the proof of publication of the notice of public hearing of this resolution as adopted and the proof of publication of the notice of the adoption of this hearing in the public records of Miami-Dade County.

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:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

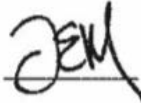
The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of October, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon 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.



Lauren E. Morse