

MEMORANDUM

Agenda Item No. 8(N)(3)

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

DATE: July 7, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution accepting conveyances of three property interests for road purposes to Miami-Dade County, Florida; and authorizing the Chairperson or Vice-Chairperson to execute the acceptances of the instruments of conveyance

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Transportation, Mobility and Planning Committee.



Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: July 7, 2022

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

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Resolution Accepting Conveyances of Three Property Interests for Road Purposes
to Miami-Dade County, Florida

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to accept the subject property conveyances to effectuate improvements needed within the public right-of-way to meet Miami-Dade County roadway standards. The grantors’ names, property locations, and reasons for conveyance to the County are listed below. Annual maintenance costs associated with the subject conveyances are estimated to be \$159.22.

Recommendation

The attached three instruments are being forwarded as one resolution for approval by the Board. The Department of Transportation and Public Works (DTPW) needs the property interests from various entities for road purposes and recommends that the Board accept the conveyances. The proposed conveyances are attached hereto as Exhibit 1 and are further described below.

Scope

The properties being conveyed are located within various Commission Districts and are thereby listed individually below.

Fiscal Impact/Funding Source

The total fiscal impact of accepting these conveyances is approximately \$159.22 annually for maintenance costs associated with the subject rights-of-way being included in the DTPW inventory. These costs will be funded through DTPW’s General Fund allocation.

Track Record/Monitor

DTPW is the entity overseeing this project and the person responsible for monitoring these acquisitions is Maria D. Molina, P.E., Chief, Right-of-Way Division.

Delegated Authority

The resolution delegates authority for the Chairperson or Vice Chairperson of this Board to execute the acceptances of the instruments of conveyance. Furthermore, the County Mayor or County Mayor’s designee is directed to record the instruments of conveyance accepted therein in the Public Records of Miami-Dade County.

Background

These conveyances are being obtained to fulfill various zoning and land development requirements to effectuate improvements needed within the public right-of-way to meet Miami-Dade County roadway standards. The individual sites are listed below outlining the specific requirement for each.

<u>GRANTOR</u>	<u>INSTRUMENT</u>	<u>LOCATION</u>	<u>REMARKS</u>
1. Jimmy and Nancy Diaz Revocable Trust 001, dated May 12, 2013	RWD*	The Radius Return at the SW corner of the intersection of SW 76 Street and Ponce De Leon Road (Commissioner Raquel A. Regalado, District 7)	This right-of-way is needed in order to satisfy a Chapter 28 Requirement that property lines at street intersections shall be rounded with a radius of 25 feet.
2. S.F. DEVELOPMENT, LLC	RWD*	A portion of SW 227 Avenue, from SW 268 Street south for 666.7 feet (Commissioner Kionne L. McGhee, District 9)	This right-of-way is needed in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way.
3. 7540 HIDALGO 1, LLC	RWD*	A portion of SW 52 Avenue, from SW 76 Street north for 100 feet, and the Radius Return at the NW corner of the intersection of SW 52 Avenue and SW 76 Street (Commissioner Raquel A. Regalado, District 7)	This right-of-way is needed in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way and a Chapter 28 Requirement that property lines at street intersections shall be rounded with a radius of 25 feet.



Jimmy Morales
Chief Operations Officer

Return to:

Miami-Dade County Department of
Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1620
Miami, FL 33128-1970

Instrument prepared by:

Jeffrey Whitmore P.S.M.
Folio No. 30-4131-016-0140
User Department: DTPW

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES**

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 3rd day of December, A.D. 2021,
by and between Jimmy and Nancy Diaz Revocable Trust 001, dated May
12, 2013, whose address is 4920 SW 76 Street, Miami, FL 33143,
party of the first part, and **MIAMI-DADE COUNTY**, a political
subdivision of the State of Florida, and its successors in
interest, whose Post Office Address is 111 NW 1st Street, Miami,
Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in
consideration of the sum of One Dollar (\$1.00) to him in hand paid
by the party of the second part, the receipt whereof is hereby
acknowledged, and for other and further good and valuable
considerations, does hereby grant, bargain and sell to the party of
the second part, and its successors in interest, for the purpose of
a public highway and purposes incidental thereto, all the right,
title, interest, claim or demand of the party of the first part, in
and to the following described land, situate, lying and being in
Miami-Dade County, State of Florida, to-wit:

**That portion of Lot 4 of "CORRECTION OF MAP OF THE SUBDIVISION
OF THE PROPERTY OF A.E. KINGSLEY" according to the plat thereof as
recorded in Plat Book 1, Page 41, of the Public Records of Miami-**

Dade County, Florida, bounded by the South line of the North 25 feet of said Lot 4, by the West line of the East 25 feet of said Lot 4, and by a 25-foot-radius curve concave to the Southwest and tangent to both of the last described lines.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.


It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, his heirs and assigns, and they shall have the right to immediately re-possess the same.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.


IN WITNESS WHEREOF, the said party of the first part, has hereunto set his hand(s) and seal(s), the day and year first above written.

Signed, Sealed and Delivered in
our presence:


(2 witnesses for each signature
or for all)


Witness

Ana Gonzalez
Witness Printed Name


Witness

Alberto Acosta
Witness Printed Name


Witness

Arleen Sanchez
Witness Printed Name



Witness

Daisy Campos
Witness Printed Name

Jimmy and Nancy Diaz Revocable
Trust 001, dated May 12, 2013


By: Jimmy Diaz (Sign)

Address (if different)

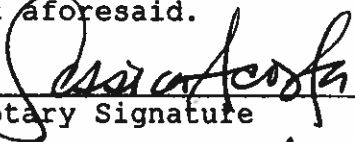

By: Nancy Diaz (Sign)

Address (if different)

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 3rd day of December, 2021, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared by means of ☒ physical or ☐ online notarization Jimmy Diaz and Nancy Diaz, personally known to me, or proven, by producing the following methods of identification: FL DL to be the Members duly authorized on behalf of Jimmy and Nancy Diaz Revocable Trust 001, dated May 12, 2013. Said Members executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

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



Notary Signature
Jessica Acosta

Printed Notary Name

NOTARY SEAL/STAMP



JESSICA ACOSTA
Commission # HH 117421
Expires May 13, 2025
Bonded thru Budget Notary Services

Notary Public, State of Florida
My commission expires: May 13, 2025
Commission/Serial No. HH 117421

The foregoing was accepted and approved on the _____ day of _____, A.D. 202__, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

Chairman of the Board of
County Commissioners

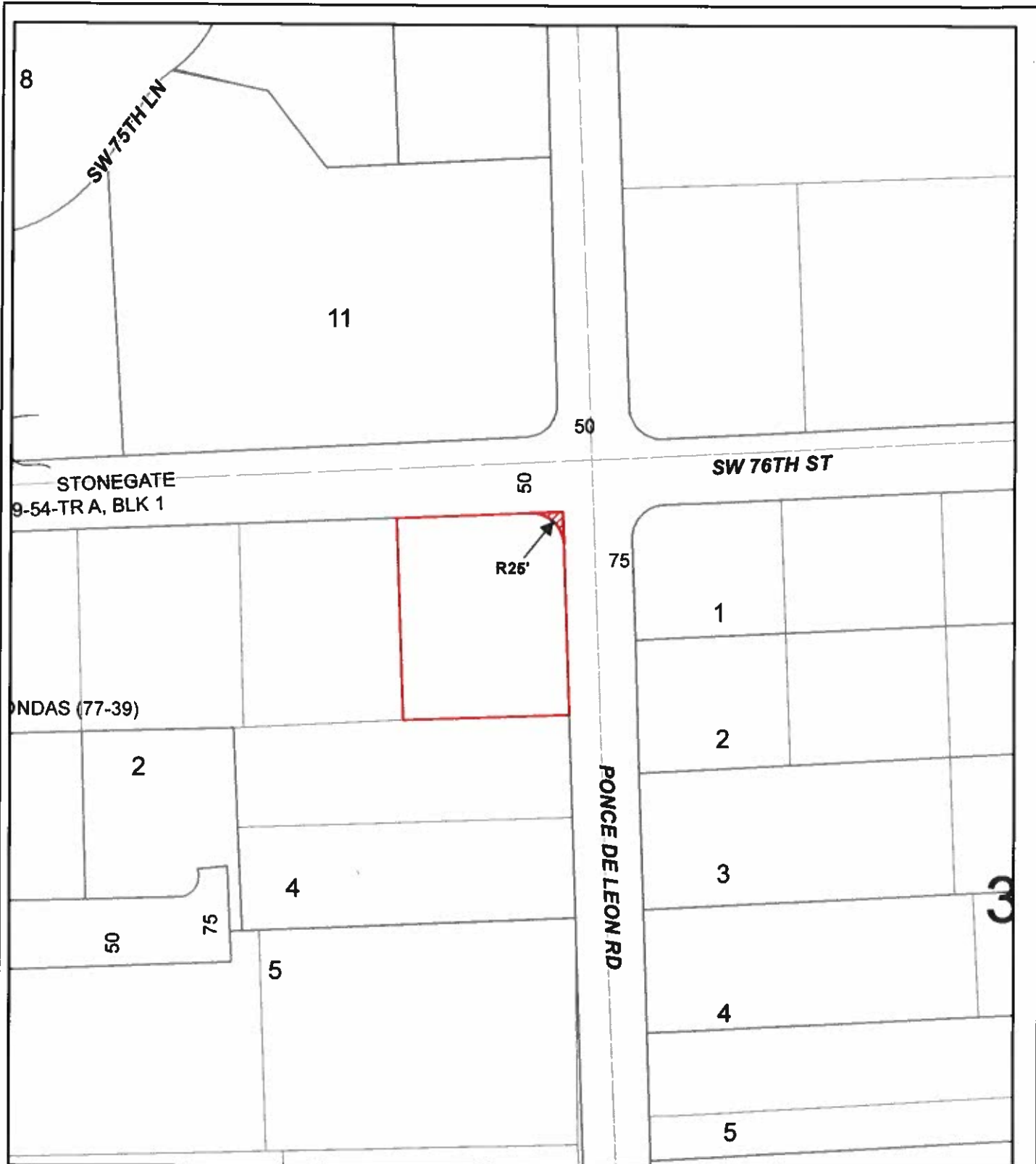
Deputy Clerk

ATTEST: HARVEY RUVIN,
Clerk of said Board

Approved as to form
and legal sufficiency

By: _____

Assistant County Attorney



THIS IS NOT A SURVEY

Municipality: UNINCORPORATED MIAMI-DADE
Commission District: Raquel Regalado 7

Folio No.30-4131-016-0140

JIMMY AND NANCY DIAZ REVOCABLE TRUST

001 DATED MAY 12, 2013

SEC. 31-54-41



TO BE DEDICATED FOR ROAD RIGHT-OF-WAY

MIAMI-DADE COUNTY
Department of Transportation & Public Works
Right-of-Way Division
111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-4413 FAX (305) 375-2825



Date: January 12, 2022
Prepared by: ym

Return to:

Miami-Dade County Department of
Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1620
Miami, FL 33128-1970

Instrument prepared by:

Jeffrey Whitmore, P.S.M.
Folio No. 30-6832-000-0030
User Department: DTPW

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES
Limited Liability Company**

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 29th day of OCT, A.D. 2021, by and between S.F. DEVELOPMENT, L.L.C., a Florida limited liability company, whose address is 801 Brickell Avenue, Suite 2400, Miami, FL 33131, party of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 NW 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

The West 40 Feet of the North 1/2 of the South 1/2 of the North 1/2 of Section 32, Township 56 South, Range 38 East, lying and being in Miami-Dade County, Florida.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its heirs and assigns, and it shall have the right to immediately repossess the same.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part, by its Managers, has caused these presents to be signed for and on its behalf, the day and year first above written.

Signed, Sealed and Delivered
in our presence: (2 witnesses
for each signature or for all)

Dani Villoch
Witness

Danielle Villoch
Witness Printed Name

Karl Oeyehaug
Witness

KARL OXYSTEIN OYEHAUG
Witness Printed Name

Dani Villoch
Witness

Danielle Villoch
Witness Printed Name

Karl Oeyehaug
Witness

KARL OXYSTEIN OYEHAUG
Witness Printed Name

S.F. DEVELOPMENT, L.L.C.

Name of LLC

[Signature] (Sign)

By: Manager

Alexandro Castro
Printed Name

Address (if different)

[Signature] (Sign)

By: Manager

Jonan Andreassen
Printed Name

Address (if different)

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 29th day of October, A.D. 2021, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared by means of ☒ physical or ☐ online notarization ALEXANDRA CASTRO and SOHAN ANDREASSEN personally known to me, or proven, by producing the following forms of identification: _____ to be the Member(s) duly authorized on behalf of S.F. DEVELOPMENT, L.L.C., a Florida limited liability company. Said Manager(s) executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

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

[Signature]
Notary Signature

Jesse Cotto
Printed Notary Signature

NOTARY SEAL/STAMP



Notary Public, State of Florida
My commission expires: 10/11/2025
Commission/Serial No. HH 185113

The foregoing was accepted and approved on the _____ day of _____, A.D. 2021, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

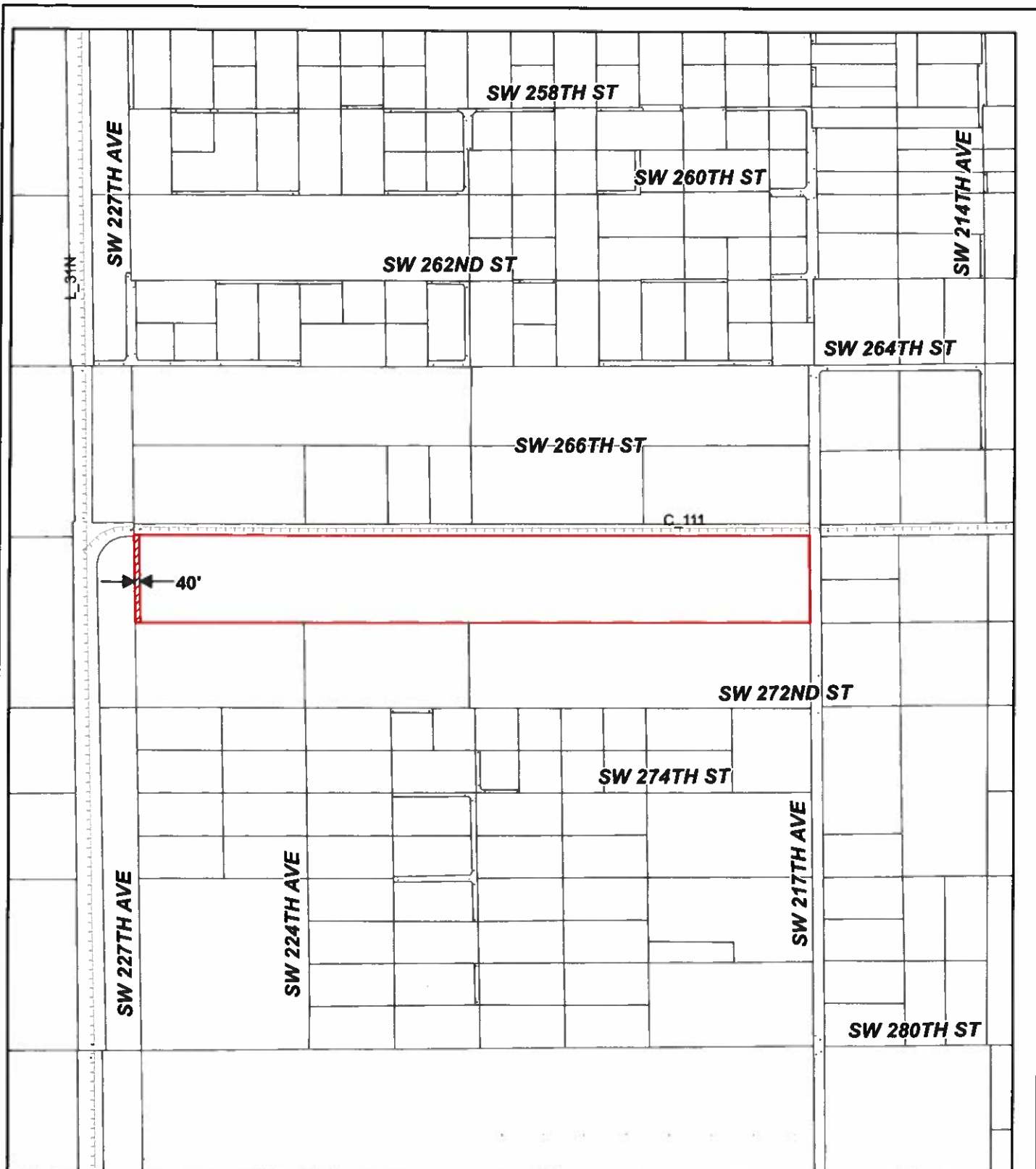
Chairman of the Board of County Commissioners

ATTEST: HARVEY RUVIN,
Clerk of said Board

Approved as to form
and legal sufficiency

By: _____
Deputy Clerk

Assistant County Attorney



THIS IS NOT A SURVEY

Folio No.30-6832-000-0030
S.F. DEVELOPMENT, L.L.C.
SEC. 32-58-38

Municipality: UNINCORPORATED MIAMI-DADE
 Commission District: Kionne McGhee 9

 TO BE DEDICATED FOR ROAD RIGHT-OF-WAY

Miami Dade County Department of Transportation and Public Works
Right-of-Way Division
 111 NW 1st Street, Suite 1810,
 Miami, Florida 33128



Date: 19. 2022
 Prepared by: ym

Return to:

Miami-Dade County Department of
Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1620
Miami, FL 33128-1970

Instrument prepared by:

Jeffrey Whitmore, P.S.M.

Folio No. 30-4131-018-0490

User Department: DTPW

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES
Limited Liability Company**

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 12TH day of JANUARY, A.D. 2022, by and between 7540 HIDALGO 1, LLC, a Florida limited liability company, whose Post Office Address is 14230 SW 34 Street, Miami, FL 33175, party of the first part, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 NW 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

That portion of Lots 11 and 12, in Block 18, "2ND AMMENDED PLAT OF HIGH PINES", according to the plat thereof as recorded in Plat Book 10, at Page 18, of the Public Records of Miami-Dade County, Florida, lying within the East 35 feet of the Northwest 1/4 of

Section 31, Township 54 South, Range 41 East, in Miami-Dade County, Florida; AND that portion of said Lot 12 lying within the external area of a 25-foot-radius curve concave to the Northwest and tangent to the South line of said Lot 12 and the West line of the East 35 feet of the Northwest 1/4 of said Section 31.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its heirs and assigns, and it shall have the right to immediately repossess the same.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part, by its Member(s), has caused these presents to be signed for and on its behalf, the day and year first above written.

Signed, Sealed and Delivered
in our presence: (2 witnesses
for each signature or for all)


Witness

Lina Moises
Witness Printed Name


Witness

Jennory Zuluaga
Witness Printed Name


Witness

Lina Moises
Witness Printed Name


Witness


Jennory Zuluaga
Witness Printed Name

7540 HIDALGO 1, LLC

Name of LLC

KEVIN HIDALGO (Sign)

By: Member


Printed Name

Address (if different)


By: Member (Sign)

Gina Hidalgo

Printed Name

Address (if different)

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

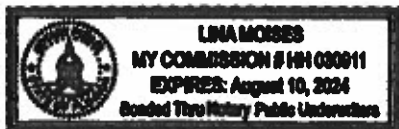
I HEREBY CERTIFY, that on this 12th day of January, A.D. 2022, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared by means of ~~physical~~ or ~~online~~ notarization KEVIN HIDALGO and GINA HIDALGO personally known to me, or proven, by producing the following forms of identification: N/A to be the Member(s) duly authorized on behalf of 7540 HIDALGO 1, LLC, a Florida limited liability company. Said Member(s) executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

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

[Signature]
Notary Signature

Lina Moises
Printed Notary Signature

NOTARY SEAL/STAMP



Notary Public, State of _____

My commission expires: _____

Commission/Serial No. _____

The foregoing was accepted and approved on the _____ day of _____, A.D. 2022, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

Chairman of the Board of County Commissioners

ATTEST: HARVEY ROVIN,
Clerk of said Board

Approved as to form
and legal sufficiency

By: _____
Deputy Clerk

Assistant County Attorney



THIS IS NOT A SURVEY
Folio No.30-4131-018-0490
7540 HIDALGO 1, LLC
SEC. 31-54-41

Municipality: UNINCORPORATED MIAMI-DADE
 Commission District: Raquel Regalado 7

 TO BE DEDICATED FOR ROAD RIGHT-OF-WAY

Miami Dade County Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1610,
Miami, Florida 33128



Date: January 24, 2022
 Prepared by: ym



MEMORANDUM

(Revised)

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

DATE: July 7, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(3)

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. 8(N)(3)
7-7-22

RESOLUTION NO. _____

RESOLUTION ACCEPTING CONVEYANCES OF THREE
PROPERTY INTERESTS FOR ROAD PURPOSES TO MIAMI-
DADE COUNTY, FLORIDA; AND AUTHORIZING THE
CHAIRPERSON OR VICE-CHAIRPERSON TO EXECUTE THE
ACCEPTANCES OF THE INSTRUMENTS OF CONVEYANCE

WHEREAS, the following property owners/grantors have tendered instruments conveying to Miami-Dade County the property interests in parcels of land located within Miami-Dade County, Florida, for public purposes identified in the County Mayor's memorandum and the instruments of conveyance, all of which are attached as Exhibit "1" to the County Mayor's memorandum and made a part thereof:

Property Owners/Grantors

1. Jimmy and Nancy Diaz Revocable Trust 001, dated May 12, 2013
2. S.F. DEVELOPMENT, LLC
3. 7540 HIDALGO 1, LLC; and

WHEREAS, upon consideration of the recommendation of the Department of Transportation and Public Works, this Board finds and determines that the acceptance of such conveyances would be in the public's best interest,

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

Section 1. This Board incorporates and approves the foregoing recitals and the County Mayor's memorandum as if fully set forth herein.

Section 2. The conveyances by the above-described property owners/grantors are hereby approved and accepted; provided, however, that it is specifically understood that neither this Board nor Miami-Dade County is obligated to construct any improvements within the above-described properties tendered for road right-of-way or other purposes other than as specifically set forth therein.

Section 3. The Chairperson or Vice-Chairperson of this Board is authorized to execute the acceptances of the instruments of conveyance.

Section 4. Pursuant to Resolution No. R-974-09, (a) the County Mayor or County Mayor's designee shall record the instruments of conveyance accepted herein in the public records of Miami-Dade County and shall provide a recorded copy of each instrument to the Clerk of the Board within 30 days of execution of said instruments; and (b) the Clerk of the Board shall attach and permanently store a recorded copy of each 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:

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 this resolution duly passed and adopted this 7th day of July, 2022. 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