

MEMORANDUM

Agenda Item No. 8(N)(3)


TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: May 5, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution declaring the acquisition of the designated property known as Parcel 5 for the road widening, beautification, and right-of-way improvements to SW 117 Avenue from SW 184 Street to US-1 to be a public necessity; authorizing the County Mayor and the County Attorney to take any and all appropriate actions to accomplish acquisition of the subject property in fee simple, by negotiation, donation, right-of-way designation, or purchase at values established by appraisals or tax assessed values, whichever is the higher of the two, together with reasonable attorneys' fees and costs pursuant to sections 73.091 and 73.092, Florida Statutes, or by eminent domain court proceedings including declarations of taking, as necessary; and authorizing the County Mayor to make an additional incentive offer to purchase Parcel 5 in a total amount not to exceed 15 percent over the appraised value

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Vice Chairman Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/wm

MDC001

Memorandum



Date: May 5, 2026

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Resolution Declaring the Acquisition of the Designated Property Known as Parcel 5 to be a Public Necessity for the Project Entitled Improvements to SW 117th Avenue from SW 184th Street (Eureka Drive) to US-1

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant approval for the Administration to acquire certain right-of-way necessary for the SW 117th Avenue Roadway Improvement Project located on SW 117th Avenue between SW 184th Street to US-1. The project consists of reconstructing and widening SW 117th Avenue from a two- to a four-lane divided road. Moreover, the project scope includes several infrastructure improvements such as sidewalks, curbs and gutters, continuous stormwater drainage system, pavement markings and signage, signalization, lighting, and landscaping.

Recommendation

It is recommended that the Board approve the attached resolution declaring the acquisition of Parcel 5 to be a public necessity for the road widening, beautification, and right-of-way improvements to SW 117th Avenue from SW 184th Street to US-1. The resolution authorizes the County Mayor or the County Mayor's designee and the County Attorney to employ appraisers and, expert witnesses; to obtain environmental audits; and to take any and all appropriate actions to acquire the subject parcel in fee simple, either by negotiation; donation; right-of-way designation; or by purchase at values established by appraisals, or tax assessed values, whichever is higher of the two. The resolution also authorizes the Administration to make an additional incentive offer for a total amount not to exceed 15 percent over the appraised value, together with reasonable attorney fees and costs, pursuant to Sections 73.091 and 73.092 of the Florida Statutes, or by eminent domain court proceedings, including a declaration of taking as necessary for and on behalf of Miami-Dade County.

Scope

The impact of this project is countywide; however, it is located within District 9, which is represented by Vice Chairman Kionne L. McGhee.

Fiscal Impact/Funding Source

The funding required for the design, construction, construction engineering and inspection (CEI), and right-of-way acquisition of this project is estimated at \$19,997,315 and will be funded through the following funding source:

Program	County Budget	Funding Source(s)
2000000538 ARTERIAL ROADS COUNTYWIDE	FY25-26 Adopted Budget & Multi- Year Capital Plan; Volume 2, Page 135	MOBILITY IMPACT FEE

Upon completion of the project, the annual maintenance and operational costs of the project will be approximately \$30,180, which will be funded by Department of Transportation and Public Works's (DTPW) Operating Fund.

Track Record/Monitor

DTPW is the entity overseeing this item and the person responsible for monitoring the project is Javier M. Bustamante, Assistant Director, Transit Project Management & Support Services.

Delegated Authority

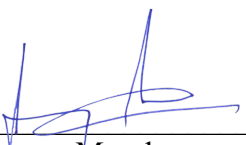
The resolution delegates authority to the County Mayor or the County Mayor's designee to take any and all appropriate actions to acquire the subject parcel in fee simple and to record the instruments of conveyances accepted herein in the Public Records of Miami-Dade County. The County Mayor's designee is further authorized to issue an incentive offer to purchase Parcel 5 in a total amount not to exceed 15 percent over the appraised value of Parcel 5.

Background

The project consists of roadway improvements to SW 117th Avenue from US-1 to SW 184th Street. These improvements include, but are not limited to, reconstructing and widening from a two- to a four-lane divided road, sidewalks, curbs and gutters, continuous stormwater drainage system, pavement markings and signage, signalization, lighting, and landscaping.

The area to be acquired by DTPW for the street improvements is legally described in Exhibit "A" and illustrated in the parcel location map set forth in Exhibit "B," both of which are attached to the resolution. These improvements will improve traffic mobility and improve drainage along SW 117th Avenue from SW 184th Street to US-1.

In order to reduce project time and cost, and to avoid the expense of potential litigation, it is recommended that the Administration be granted authorization to issue an incentive offer added to the initial offer to purchase Parcel 5. The total amount of the initial offer plus the incentive offer shall be no more than 15 percent over the appraised value of Parcel 5.



Jimmy Morales
Chief Operating Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: May 5, 2026

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**
- _____ **Requires more than a majority vote (i.e., 2/3’s present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) _____) 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)
5-5-26

RESOLUTION NO. _____

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL 5 FOR THE ROAD WIDENING, BEAUTIFICATION, AND RIGHT-OF-WAY IMPROVEMENTS TO SW 117 AVENUE FROM SW 184 STREET TO US-1 TO BE A PUBLIC NECESSITY; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE, BY NEGOTIATION, DONATION, RIGHT-OF-WAY DESIGNATION, OR PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR TAX ASSESSED VALUES, WHICHEVER IS THE HIGHER OF THE TWO, TOGETHER WITH REASONABLE ATTORNEYS' FEES AND COSTS PURSUANT TO SECTIONS 73.091 AND 73.092, FLORIDA STATUTES, OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO MAKE AN ADDITIONAL INCENTIVE OFFER TO PURCHASE PARCEL 5 IN A TOTAL AMOUNT NOT TO EXCEED 15 PERCENT OVER THE APPRAISED VALUE

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

WHEREAS, this Board finds and declares the acquisition in fee simple of the property known as Parcel 5 as legally described in Exhibit "A" and shown on the project location map in Exhibit "B" attached hereto and made a part hereof, for the public purpose of constructing improvements to SW 117 Avenue from SW 184 Street to US-1, to be required and necessary to accomplish such improvements; and

WHEREAS, Miami-Dade County is authorized under the Constitution and Laws of Florida, including Chapters 73, 74, 125, 127 and 341, Florida Statutes, and sections 1.01 (A) (1), (2) and (21), of the Home Rule Charter of Miami-Dade County, to acquire said property by eminent domain proceedings,

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 forth in the foregoing recital.

Section 2. This Board finds and declares that the acquisition of the subject parcel, as legally described in Exhibit “A” attached hereto and incorporated herein by reference, is needed for the public purpose of constructing improvements to SW 117 Avenue from SW 184 Street to US-1.

Section 3. This Board authorizes and directs the County Mayor or County Mayor’s designee and County Attorney to employ appraisers and expert witnesses; obtain environmental audits; and take any and all appropriate actions to acquire the subject parcel, as legally described in Exhibit “A” in fee simple; and provide compensation to all interested parties for such acquisition including any business thereon, either by negotiation, donation, right-of-way designation, or by purchase at value established by appraisals or tax assessed value, whichever is the higher of the two, together with reasonable attorney’s fees and costs pursuant to sections 73.091 and 73.092, Florida Statutes, or eminent domain court proceedings including a declaration of taking as necessary for and on behalf of Miami-Dade County. To potentially reduce project time and to avoid the expense of litigation, the County Mayor or County Mayor’s designee is further authorized to issue an incentive offer to purchase Parcel 5, in a total amount not to exceed 15 percent over the appraised value of Parcel 5.

Section 4. Pursuant to Resolution No. R-974-09, the County Mayor or County Mayor's designee shall record the instruments of conveyances accepted herein in the Public Records of Miami-Dade County, Florida and provide a recorded copy of the instrument to the Clerk of the Board within 30 days of execution of said instrument. This Board 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 _____,
who moved its adoption. The motion was seconded by Commissioner _____
and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	
Kionne L. McGhee, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Sen. René García	Oliver G. Gilbert, III
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Vicki L. Lopez
Natalie Milian Orbis	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of May, 2026. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Andrea Gonzalez

LEGAL DESCRIPTION

(FEE SIMPLE)

Parcel 5

That part of Lots 1 and 2 of Block 14 of Addition "G" Miami's Logical Suburb SO. MIAMI HEIGHTS, according to the Plat thereof, as recorder in Plat Book 25, at Page 12 of the Public Records of Miami-Dade County, Florida; lying in the Northeast 1/4 of Section 1, Township 56 Range 39 East of the Public Records of Miami-Dade County, Florida; being more particularly described as follow:

Commence at Southeast corner of said Lots 2, thence run S87°46'55"W along the South line of said lot 2 for a distance of 5.00 feet to the **Point of Beginning** of the herein described parcel of land; thence continue S87°46'55"W along the South line of said lot 2 for a distance of 14.50 feet; thence run N0°53'23"W along a line parallel to and 49.50 feet West of the East line of said Section 1 for a distance of 52.31 feet to a point of intersection with a circular curve concave to the Southwest, at said point a radial line bears N23°56'42"E from center of said curve, thence run 28.43 feet along the arc of a curve, said curve having a radius of 25.00 feet and a central angle of 65°09'55" to a point of tangency; thence run S0°53'23"E along a line parallel to and 35.00 feet West of the East line of said Section 1 for a distance of 29.28 feet to the **Point of Beginning**.

AND

The East 14.50 feet of the Lot 1, Block 26 of AMVETS CITY Replat of Revised Plat of Sections "F" "G" and "H" of South Miami Heights, as recorded in Plat Book 46, at Page 83, of the Public Records of Miami-Dade County, Florida.

Said land containing 1,388 Square Feet 0.032 acres more or less.

EXHIBIT "A"

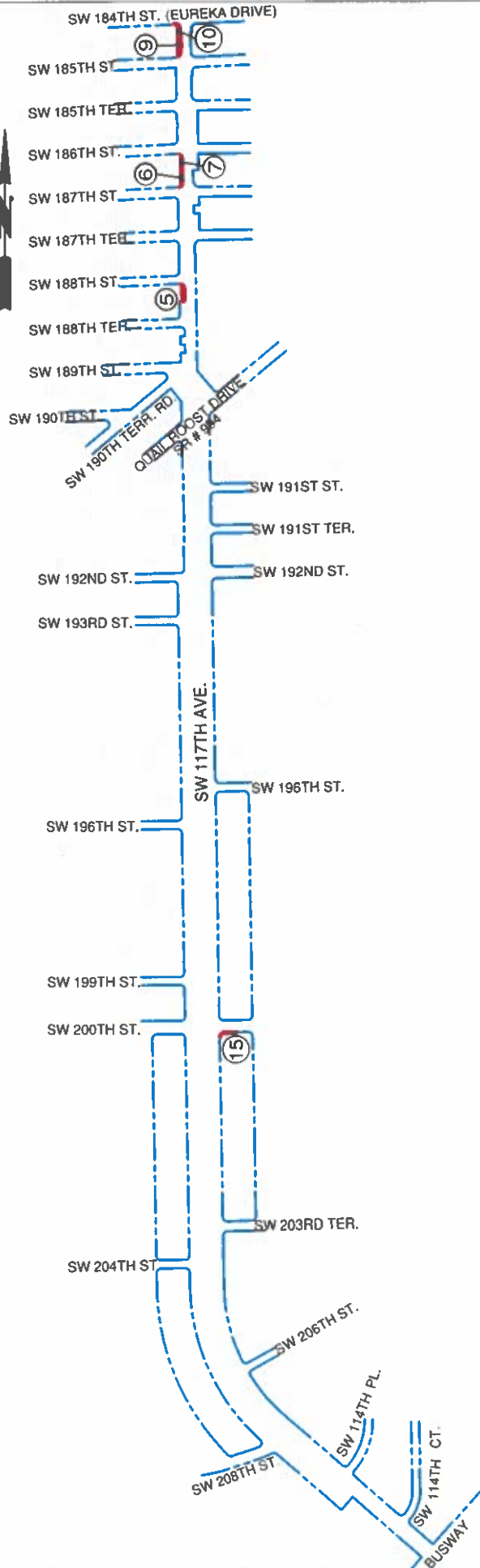
PARCEL 5
Project No. 20200284
1 of 1

MDC009

SEC 07, 06 & 01
TWP 56 S
RGE 40 & 39 E



LOCATION MAP
NOT TO SCALE



SCALE 1" = 900'
PREPARED BY: M.R.
DATED: 05-08-24

R/W TO BE ACQUIRED BY THE COUNTY



EXHIBIT "B"

S.W. 117th AVE
From U.S.1 (S.R.#5) to S.W. 184th St.

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