# MEMORANDUM

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Agenda Item No. 3(K)

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|---|---|---|---|
| **TO:** | Honorable Chairman Anthony Rodriguez and Members, Board of County Commissioners | **DATE:** | November 12, 2026 |
| **FROM:** | Geri Bonzon-Keenan County Attorney | **SUBJECT:** | Resolution granting petition to vacate a portion of County Right-of-Way along the south side of the Rickenbacker Causeway for approximately 1,474 feet along the frontage of the County-owned Miami Seaquarium property (Vacation of Right-of-Way Petition No. P-1056) filed by the Miami-Dade County Department of Parks, Recreation and Open Spaces (PROS) and waiving the signature requirements of Resolution No. R-7606 as to adjacent property owners |

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Commissioner Raquel A. Regalado.

for
Geri Bonzon-Keenan
County Attorney

GBK/ks

# Memorandum

**Date:** January 20, 2027

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

**From:** Daniella Levine Cava
Mayor

**Subject:** Vacation of Right-of-Way Petition P-1056
Sections: 17-54-42 and 20-54-42
Portion of Right-of-Way Along the South Side of the Rickenbacker Causeway for Approximately 1,474 Feet Along the Frontage of the Miami Seaquarium Property
Commission District: 7

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## Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant a petition filed by the Miami-Dade County (County) Department of Parks, Recreation, and Open Spaces (PROS) to vacate the subject portion of County right-of-way. If this petition is granted, the underlying land will become incorporated into the abutting County-owned Miami Seaquarium property. The $8,500.00 fee for this vacation of right-of-way petition has been paid.

## Recommendation

It is recommended that the Board grant Vacation of Right-of-Way Petition P-1056, attached to this Memorandum as Exhibit 2, following a public hearing. The County Departments of Regulatory and Economic Resources (RER), Transportation and Public Works (DTPW), Water and Sewer (WASD), Fire Rescue, and Environmental Resources Management (DERM) have no objection to this portion of right-of-way being vacated. This request conforms with County regulations governing the procedures for the vacation of County right-of-way as set forth in Resolution No. R-7606. The subject land includes a portion of the paved parking lot for the Miami Seaquarium. Location maps are attached as Exhibit 1.

## Scope

The subject portion of County right-of-way is located within District 7, which is represented by Commissioner Raquel A. Regalado.

## Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the property adjacent to the subject right-of-way at an average rate of $1.00 per square foot. Therefore, the estimated

value of the subject land is approximately $88,439. However, the abutting property to which the land will revert is County-owned and tax-exempt. Therefore, the granting of this petition will not result in an increase in revenue from property taxes. The fee for this vacation of right-of-way petition is $8,500.00.

**Track Record/Monitor**
DTPW is the entity overseeing this project and the person responsible for monitoring is Javier Bustamante, Assistant Director of the Right-of-Way, Utilities, and Property Management Division.

**Delegated Authority**
There is no delegation of authority associated with this item.

**Background**
In conjunction with a lease agreement with a private developer, PROS requests that the County vacate the subject portion of right-of-way so that the land can be included in the re-development of the Miami Seaquarium project on the abutting County-owned property. The subject area includes a portion of the paved parking lot for the Miami Seaquarium but does not include any part of the paved travel lanes, walkway, or bike path for the Rickenbacker Causeway.

Regarding the negotiation of the lease on the Miami Seaquarium site, Resolution No. R-1177-25 “authorizes the County Mayor or County Mayor’s designee as landlord to take any and all actions necessary for the submittal of land use, zoning, and permitting applications required to permit the construction of the development contemplated by the attached term sheet, including but not limited to all applications or requests, joinders, agreements, instruments and/or releases associated with the development contemplated by the term sheet, provided that such delegation does not result in a fiscal impact to the County. The County shall retain all sovereign rights as related to the review of and acceptance of any applications." Therefore, by that delegation of authority, the Director of PROS has signed the subject vacation of right-of-way petition. However, the adjacent property which is owned by the University of Miami and located to the southeast of the subject portion of right-of-way, and which will not receive any reversion of the subject land if this petition is granted, did not sign the petition. Therefore, the signature requirements of Resolution No. R-7606 are being waived by the resolution.

The subject portion of land is included in the lands acquired by the County between 1940 and 1948 by the deeds recorded in Deed Book 2065, at Page 454, Deed Book 3069, at Page 248, Deed Book 2190, at Page 359, Deed Book 2220,

at Page 545, and Deed Book 3081, at Page 4, all of the Public Records of Miami-Dade County, Florida. The Rickenbacker Causeway was constructed by Miami-Dade County and designated by Chapter 25131, Laws of Florida (1949). The causeway centerline is shown on the REVISED PLAT OF SHEETS 8 & 9 METROPOLITAN DADE COUNTY, FLORIDA BULKHEAD LINE PART FOUR, as recorded in Plat Book 74, at Page 6, of the Public Records of Miami-Dade County, Florida. Therefore, given that the subject portion of land has historically been considered as part of the public right-of-way for the Rickenbacker Causeway, it would need to be officially vacated in order to then be included with the land that will be leased to the private entity who will be undertaking the proposed re-development of the Miami Seaquarium site. The re-development proposes to include parking and drive aisles for vehicular and pedestrian access on the subject portion of land.

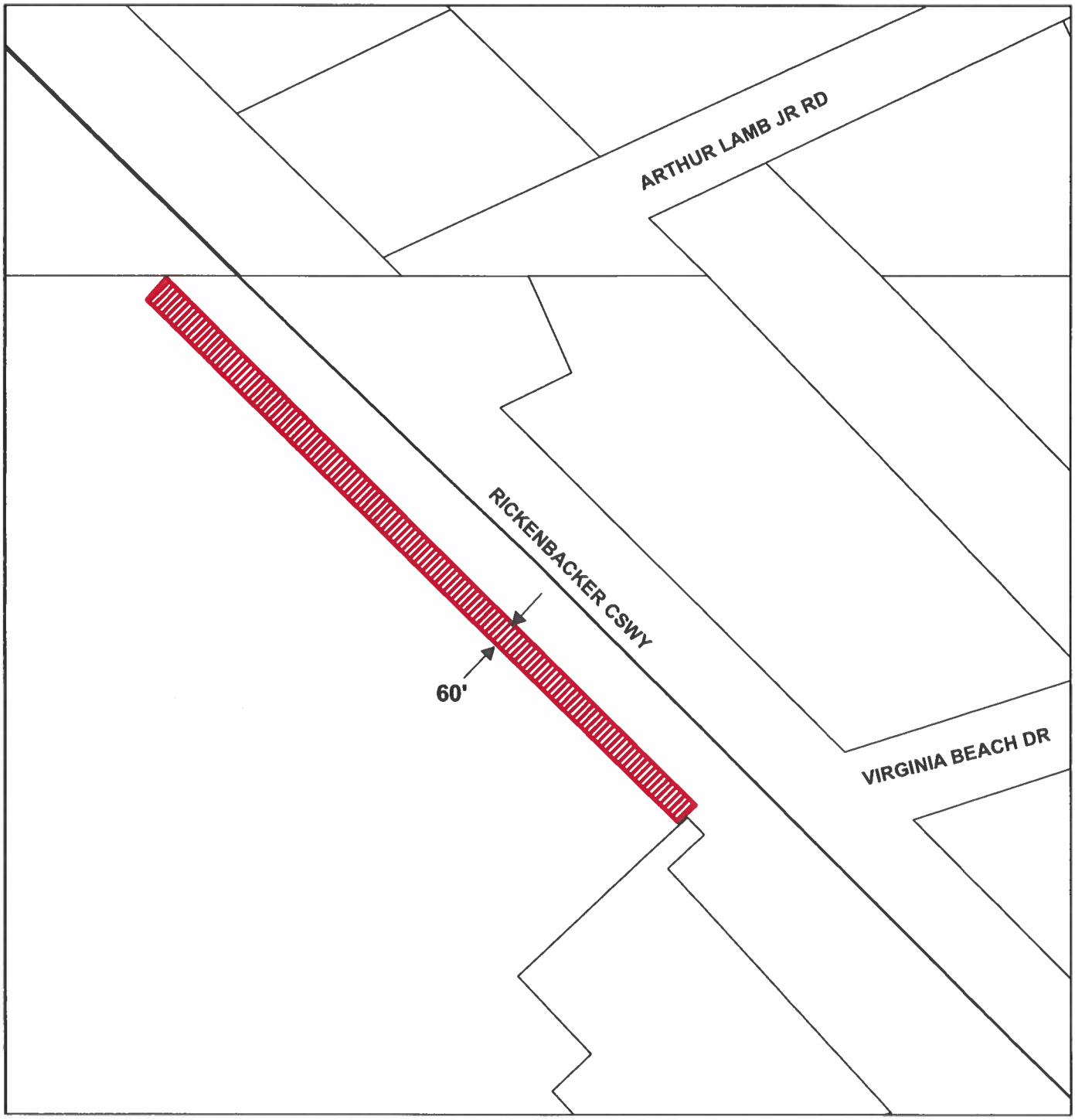
Attachments:
Exhibit 1 – Location & Aerial Maps
Exhibit 2 – Vacation of Right-of-Way Petition P-1056
Exhibit A – Sketch & Legal Description

Roy Coley
Deputy Mayor

# Location & Aerial Map

SECTION 17 & 20 TOWNSHIP 54S RANGE 42E

## EXHIBIT 1




THIS IS NOT A SURVEY
NOT TO SCALE

**Legend**
Vacation of R/W P-1056

**P- 1056**

MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, 1610
Miami, Florida 33128
PH (305) 375-2714

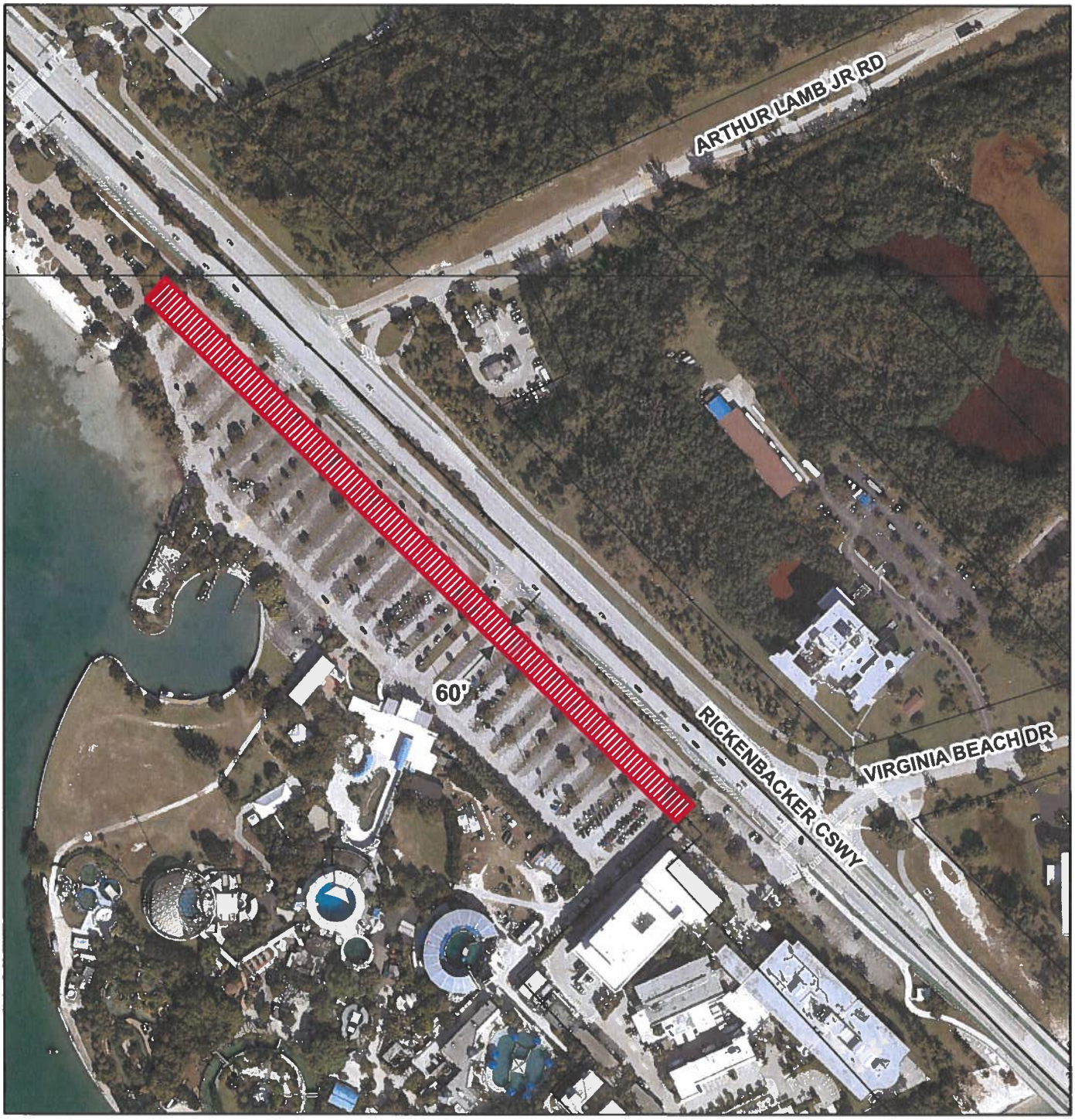
Municipality: Unincorporated
Commission District 7
Raquel A. Regalado

Date: 8-21-2026
Drawn By: A.Santelices

# Location & Aerial Map

SECTION 17 & 20 TOWNSHIP 54S RANGE 42E

## EXHIBIT 1




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**Legend**
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MIAMI-DADE COUNTY
Department of Transportation and Public Works
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111 NW 1st Street, 1610
Miami, Florida 33128
PH (305) 375-2714

Municipality: Unincorporated
Commission District 7
Raquel A. Regalado

Date: 8-21-2026
Drawn By: A.Santelices

# 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: **See attached Exhibit "A".**

A parcel of land on Virginia Key, in Biscayne Bay, Miami-Dade County, Florida; being a portion of Sections 17 and 20, Township 54 South, Range 42 East, Miami-Dade County, Florida; and being more particularly described as follows:
COMMENCE at the intersection of the North line of Section 20, Township 54 South, Range 42 East, Virginia Key, Dade County, Florida and the center line of the Rickenbacker Causeway, both as shown on sheet 2 of the Bulkhead Line Map, recorded in Plat Book 74 at Page 6 of the Public Records of Dade County, Florida; thence run South 45°45'11" East along said center line of Rickenbacker Causeway for a distance of 100.39 feet, thence run South 29°14'50" West for a distance of 119.05 feet to a point being 115.00 feet Southwesterly from measured at right angle to the centerline of Rickenbacker Causeway, said point being the Point of Beginning of the parcel of land to be described herein, thence run South 45°45'11" East along a line parallel to and 115.00 feet Southwesterly from, measured at right angle to the centerline of Rickenbacker Causeway for a distance of 1225.26 feet, thence, run South 44°14'49" West for a distance of 60.00 feet to the intersection with the Southwesterly right of way line of Rickenbacker Causeway, thence run North 45°45'11" West along a line parallel to and 175.00 feet Southwesterly from, measured at right angle to the centerline of Rickenbacker Causeway said line being also the Southwesterly right of way line of Rickenbacker Causeway for a distance 1473.99 feet, thence run North 44°14'49" East for a distance of 60.00 feet, thence run South 45°45'11" East along a line parallel to and 115.00 feet Southwesterly from, measured at right angle to the centerline of Rickenbacker Causeway for a distance of 248.73 feet to the Point of Beginning. Said land containing approximately 88,439 Square Feet or 2.030 Acres 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):

By deed the Dade County holds fee title to the right-of-way. The Rickenbacker Causeway corridor across Virginia Key was acquired by Dade County by deed from the Trustees of the Internal Improvement Fund of the State of Florida (Deed No. 18556 dated March 24, 1940, recorded in Deed Book 2065, Page 454; and Deed No. 19436 dated October 12, 1948, recorded in Deed Book 3069, Page 248) and by deed from the City of Miami (deed dated October 1, 1941, recorded in Deed Book 2190, Page 359; deed dated February 20, 1942, recorded in Deed Book 2220, Page 545; and deed dated November 19, 1948, recorded in Deed Book 3081, Page 4), all of the Public Records of Dade County, Florida. The causeway was constructed by Dade County and designated by Chapter 25131, Laws of Florida (1949). The right-of-way was not created by plat dedication, and no public interest is claimed by prescription. The causeway centerline is shown on the Bulkhead Line plat recorded in Plat Book 74, Page 6, and the right-of-way to be vacated is described on the DTPW Right-of-Way Engineering sketch and legal description, Project 2026006.

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. **Please see attached.**

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.

| PRINT NAME | FOLIO NO. | ADDRESS |
|---|---|---|
| Miami-Dade County Department of Parks, Recreation, and Open Spaces | 30-4220-000-0010 & 30-4217-000-0025 | 4400 Rickenbacker Causeway Miami, FL 33149 |
| University of Miami | 30-4220-000-0030 | N/A |

5. ACCESS TO OTHER PROPERTY: The undersigned certify that in the event this petition is granted no other property owners will be prevented from accessing their property and no other property owners in the vicinity will be adversely affected.

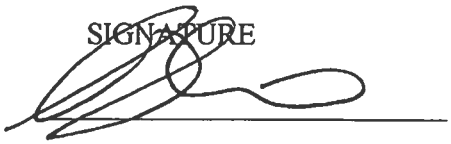
6. GROUNDS FOR REQUESTING PETITION AND PROPOSED USE FOR THE LAND BY THIS REQUEST: The undersigned submits as a grounds and reasons in support of this petition the following (state in detail, why petition should be granted):

The right-of-way to be vacated, approximately 88,439 square feet (2.030 acres) per the DTPW sketch and legal description, has been improved and used as public parking for the Seaquarium since the Board approved the extension of the Seaquarium public parking facilities into this area by Resolution No. R-467-67 on April 24, 1967, and does not function as roadway; and the Seaquarium is a family-oriented, aquarium-based attraction operated on

County Park land under lease since March 9, 1954, and Section 7.02 of the Home Rule Charter expressly recognizes the Seaquarium; and by Resolution No. R-1177-25, adopted December 2, 2025, the Board approved assignment of the Seaquarium lease to Resilient Aquarium LLC and directed negotiation of an amended and restated lease for redevelopment of the attraction with a development program that includes required parking; and
Vacation formalizes the existing and future use as parking in support of that redevelopment. The land remains in County ownership under Miami Dade County Parks, Recreation and Open Spaces control and will be used for public parking, drive aisles, and vehicular and pedestrian access serving the Seaquarium as the adjacent parking parcel pursuant to the proposed Second Amended and Restated Lease with Resilient Aquarium, LLC.

7. Signatures of **all** abutting property owners: Respectfully submitted,

SIGNATURE



ADDRESS

4400 RICKERBACKER CSWY,
MIAMI FL 33149.

Attorney for Petitioner

Address: _____
Signature of Attorney not required)

STATE OF FLORIDA )
) SS
MIAMI-DADE COUNTY )

BEFORE ME, the undersigned authority, personally appeared by means of [X] physical or [] online notarization CHRISTINA WHITE, 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

4 day of September, 2026

_____
Notary Public State of Florida at Large

My Commission Expires:

MELISSA J. RODRIGUEZ
Commission # HH 623521
Expires February 12, 2029

# EXHIBIT A

## SKETCH & LEGAL DESCRIPTION OF RIGHT-OF-WAY TO BE VACATED

# EXHIBIT "A"
## SKETCH AND LEGAL
## RIGHT-OF-WAY TO BE VACATED

**SURVEYOR'S NOTE:**

Bearings and coordinates are relative to the State Plane Coordinates, Florida East Zone, North American Datum (NAD) of 1983/2011 Adjustment. A bearing of S89°40'39"W has been established along the North line of the Northeast 1/4 of Section 20-54-42 between the following control points.

Control Point #605
Fd Brass disc in conc. inside conc. handhole
Southeast Corner of Section 17-54-42
N=510867.9660 E=933443.9550

Control Point #500
¾ in IP in conc.
N=510853.0530 E=930793.6450

**LEGAL DESCRIPTION:**

A parcel of land on Virginia Key, in Biscayne Bay, Miami-Dade County, Florida; being a portion of Sections 17 and 20, Township 54, Range 42 East, Miami-Dade County, Florida; and being more particularly described as follow:

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Said land containing approximately 88,439 Square Feet or 2.030 Acres more or less.

OMAR SUAREZ LICENSE No. LS. 6914 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

By: _____
Omar Suarez, PSM
Professional Surveyor & Mapper
No. 6914 State of Florida

For: Miami-Dade County Department of
Transportation and Public Works Right-of-Way
Engineering Section 111 NW 1 Street, Suite 1610
Miami, Florida 33128-1970

NOTICE: Unless it bears the signature and the original raised seal of a Florida licensed Surveyor and Mapper, this sketch is for informational purposes only and is not valid.

THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.

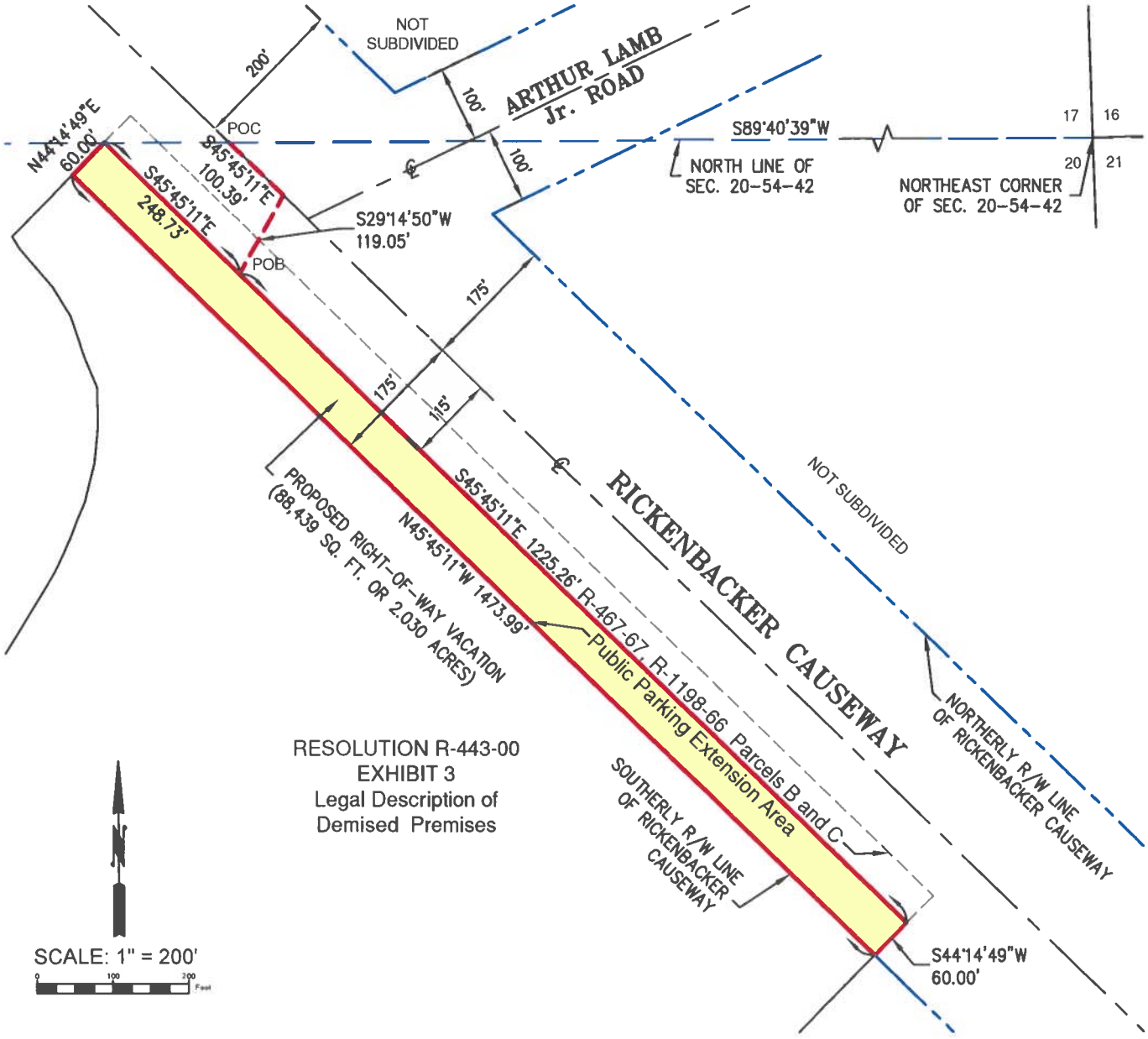
MIAMI-DADE

THIS IS NOT A SURVEY

| | | | |
|---|---|---|---|
| SKETCH TO ACCOMPANY LEGAL DESCRIPTION<br>MIAMI-DADE COUNTY DEPARTMENT OF<br>TRANSPORTATION AND PUBLIC WORKS<br>RIGHT OF WAY DIVISION<br>ENGINEERING SECTION | EXHIBIT A | SCALE: N/A | DATE: 03-20-26 |
| | | CHECKED BY: O. Suarez | |
| | SKETCH AND LEGAL<br>RIGHT-OF-WAY TO BE VACATED | DRAWN BY: M. Barreiro | |
| | | PROJECT: 2026006 | SHEET: 1 of 2 |

SEC 17 & 20
TWP 54 S
RGE 42 E

# EXHIBIT "A"
## SKETCH AND LEGAL
## RIGHT-OF-WAY TO BE VACATED




RESOLUTION R-443-00
EXHIBIT 3
Legal Description of
Demised Premises

SCALE: 1" = 200'

### LEGEND

| | | | |
|---|---|---|---|
| — — — | SECTION LINE | SEC. | SECTION |
| —— - —— | CENTER LINE | TWP | TOWNSHIP |
| —— · —— | R/W LINE | RGE | RANGE |
| ▭ | R/W TO BE VACATED | ORB. | OFFICIAL RECORDS BOOK |
| (R) | RADIUS | P.B. | PLAT BOOK |
| CA | CENTRAL ANGLE | PG. | PAGE |
| (L) | ARC LENGTH | POC | POINT OF COMMENCEMENT |
| ℄ | CENTER LINE | POB | POINT OF BEGINNING |
| UM | UNIVERSITY OF MIAMI | | |

THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.

MIAMI-DADE

THIS IS NOT A SURVEY

| | | |
|---|---|---|
| SKETCH TO ACCOMPANY LEGAL DESCRIPTION<br>MIAMI-DADE COUNTY DEPARTMENT OF<br>TRANSPORTATION AND PUBLIC WORKS<br>RIGHT OF WAY DIVISION<br>ENGINEERING SECTION | EXHIBIT A<br>SKETCH AND LEGAL<br>RIGHT-OF-WAY TO BE VACATED | SCALE: 1"=200' \| DATE: 03-20-26<br>CHECKED BY: O. Suarez<br>DRAWN BY: M. Barreiro<br>PROJECT: 2026006 \| SHEET: 2 of 2 |

# MEMORANDUM

**(Revised)**

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

**DATE**: January 20, 2027

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

**SUBJECT**: Agenda Item No.

**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 Agenda Item No.
Veto _____
Override _____

RESOLUTION NO. _____

RESOLUTION GRANTING PETITION TO VACATE A PORTION OF COUNTY RIGHT-OF-WAY ALONG THE SOUTH SIDE OF THE RICKENBACKER CAUSEWAY FOR APPROXIMATELY 1,474 FEET ALONG THE FRONTAGE OF THE COUNTY-OWNED MIAMI SEAQUARIUM PROPERTY (VACATION OF RIGHT-OF-WAY PETITION NO. P-1056) FILED BY THE MIAMI-DADE COUNTY DEPARTMENT OF PARKS, RECREATION AND OPEN SPACES (PROS) AND WAIVING THE SIGNATURE REQUIREMENTS OF RESOLUTION NO. R-7606 AS TO ADJACENT PROPERTY OWNERS

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

**WHEREAS**, Vacation of Right-of-Way Petition No. P-1056, by the delegation of authority provided under Resolution No. R-1177-25, was signed by the Director of the Miami-Dade County Department of Parks, Recreation and Open Spaces, the user department of the Miami Seaquarium property that abuts on the portion of right-of-way sought to be vacated; and

**WHEREAS**, the University of Miami, the owner of an unaffected property lying southeasterly of and adjacent to the subject portion of right-of-way, did not sign the petition; and

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

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

**Section 1.** The foregoing recitals are approved and incorporated by reference.

**Section 2.** Resolution No. R-7606 is waived to the extent that it requires the signatures of all adjacent property owners on the petition to close a road.

**Section 3.** Vacation of Right-of-Way Petition No. P-1056 is hereby granted and the alley, avenue, street, highway, or other place used for travel as described in the petition attached as Exhibit 2 to the County Mayor's memorandum is hereby vacated, abandoned, and closed.

**Section 4.** All rights of the public in and to the same are hereby renounced and disclaimed.

**Section 5.** It is found that the action will serve a public purpose and benefit the public without violating private property rights.

**Section 6.** The procedure utilized in the adoption of this resolution is expressly ratified and approved.

**Section 7.** Pursuant to Resolution No. R-7606, the Clerk is hereby directed to publish notice of the adoption of this resolution one time within 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:

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 20th day of January, 2027. 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.

Lauren E. M. Alvarez

