

MEMORANDUM

Agenda Item No. 5(I)

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

DATE: June 15, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution granting petition to
close SW 182 Court, SW 183
Avenue, and SW 183 Court,
from SW 222 Street to SW 224
Street (Road Closing Petition
No. P-960)

Resolution No. R-590-21

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


Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: June 15, 2021

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

From: Daniella Levine Cava 
Mayor

Subject: Road Closing Petition P-960
Section: 13-56-38
SW 182 Court, SW 183 Avenue, and SW 183 Court from SW 222 Street to SW 224 Street, Commission District: 8

Recommendation

It is recommended that the Board of County Commissioners (Board) grant Road Closing Petition P-960, attached to this Memorandum as Exhibit 2, following a public hearing and contingent upon the recording of the plat of “BONITA GROVES ESTATES” (tentative plat T-24371). If the plat is not approved, this resolution becomes null and void. The Miami-Dade County Departments of Transportation and Public Works (DTPW), Regulatory and Economic Resources, Water and Sewer, and Fire Rescue have no objection to these roadways, currently consisting of unimproved vacant land, being vacated. A location map is attached as Exhibit 1.

Scope

The road closings are located within Commission District 8, which is represented by Commissioner Danielle Cohen Higgins.

Fiscal Impact/Funding Source

The Property Appraiser’s Office has assessed the adjacent properties to these roadways at \$1.15 per square foot. Therefore, the estimated value of these roadways would be approximately \$105,335.40. If these roadways are closed and vacated, the re-platted portion of the land will be placed on the tax roll, generating an estimated \$3,730.00 per year in additional property taxes. The fee for this road closing is \$1,960.00.

Track Record/Monitor

DTPW is the entity overseeing this project and the person responsible for monitoring this acquisition is Mr. Leandro J. Oña, P.E., Chief, Highway Division.

Delegated Authority

There is no delegation of authority associated with this item

Background

The petitioner, TCC Property, LLC, wishes to close SW 182 Court, SW 183 Avenue, and SW 183 Court, from SW 222 Street to SW 224 Street, in order to incorporate the southern half of the subject lands into the proposed plat of “BONITA GROVES ESTATES”, tentative plat T-23471, and the northern half into agriculture use. The roadways being closed have 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 roadways were dedicated in 1925 by the plat of “BONITA GROVES”, recorded in Plat Book 25, Page 23, of the Public Records of Miami-Dade County, Florida. The areas abutting the subject roadways are zoned AU (Agricultural/Residential) and EU-1 (Estates, Single-Family).

Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners
Page 2

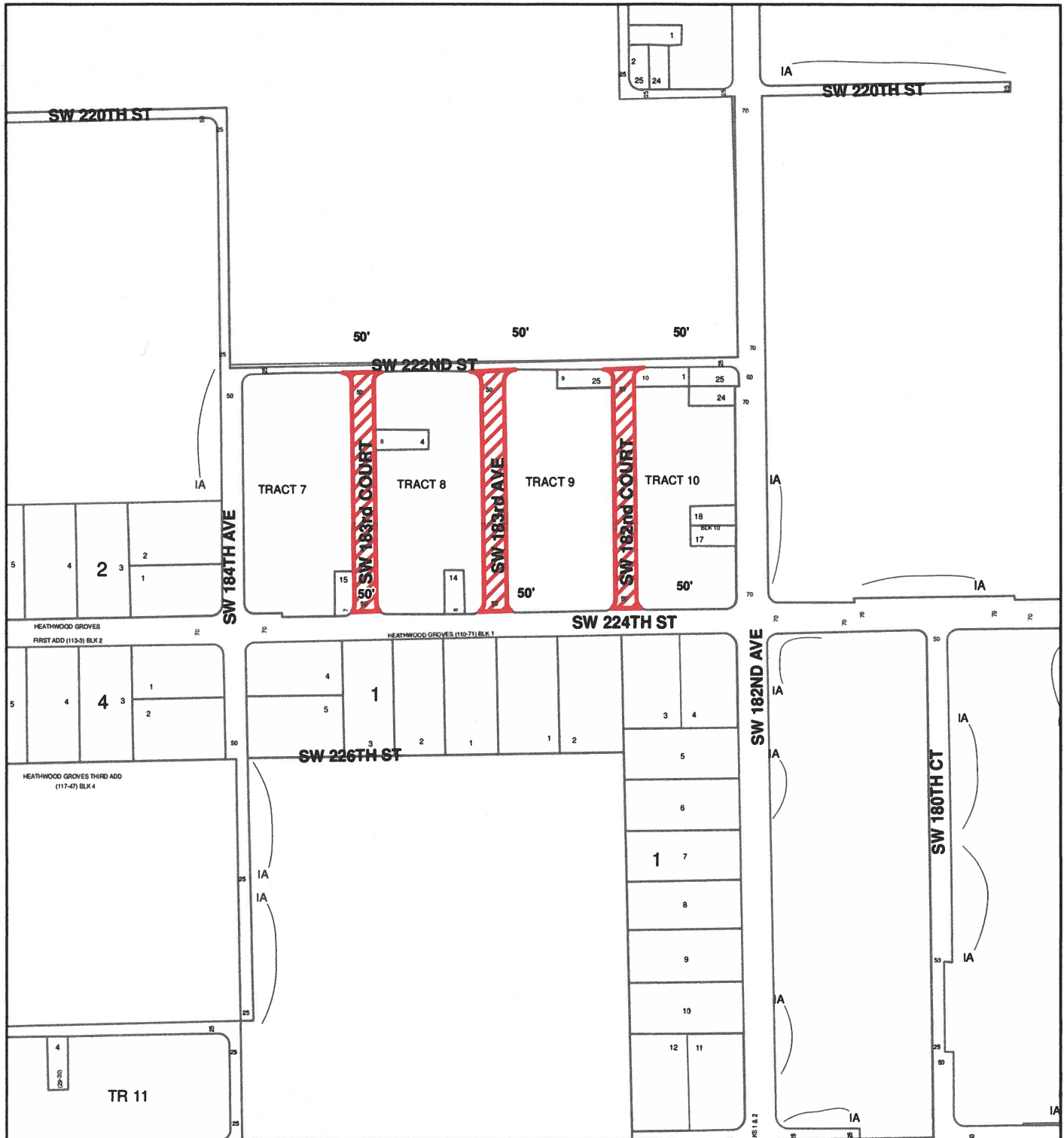
A handwritten signature in blue ink, appearing to read 'JM', is positioned above a solid black horizontal line.

Jimmy Morales
Chief Operations Officer

EXHIBIT 1

Location Map

SECTION 13 TOWNSHIP 56 S RANGE 38 E



This is not a survey

P- 960

Municipality: UNINCORPORATED MIAMI-DADE
Commission District: Daniella Levine Cava 8

Legend



P-960 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: May 01, 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 rights-of-way sought to be closed is as follows:

Those portions of right-of-way shown as Coconut Avenue (now known as SW 183 Court), Royal Palm Avenue (now known as SW 183 Avenue) and Washington Avenue (now known as SW 182 Court), on REVISED PLAT BONITA GROVES, according to the plat thereof recorded in Plat Book 38, Page 22, of the Public Records of Miami-Dade County, Florida, bounded on the north by the south right-of-way line of SW 222 Street (Sapodilla Drive by plat) and bounded on the south by a line 10 feet north of and parallel with the north right of way line of SW 224 Street (Kumquat Drive by plat).

Containing an area of 91,596 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 rights-of-way was acquired and is evidenced in the following manner:

Dedicated in 1925 by the plat of BONITA GROVES, recorded in Plat Book 25, Page 23, of the Public 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.

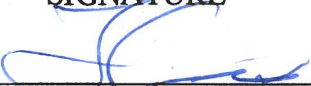
PRINT NAME	FOLIO NO.	ADDRESS
<u>TCC Property, LLC</u>	<u>30-6813-001-0033</u> <u>30-6813-003-0160</u>	<u>8501 SW 184 St</u> <u>Miami, FL 33157</u>
<u>Thang Q. Dang</u> <u>Minh Tran T. Dang</u>	<u>30-6813-001-0030</u> <u>30-6813-003-0170</u> <u>30-6813-003-0190</u> <u>30-6813-003-0200</u>	<u>26925 SW 197 Ave</u> <u>Homestead, FL 33031</u>

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. 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 subject rights-of-way have never been improved nor maintained by Miami-Dade County. This property was originally platted with multiple small lots and the existing rights-of-way were needed to provide access to them. However, the property will now be re-platted as much bigger lots facing SW 222 Street and SW 224 Street, making the subject rights-of-way unnecessary. If this vacation is granted the land will be added to the plat.

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

SIGNATURE	ADDRESS
 Frank Castro for TCC	<u>8501 SW 184 St., Miami, FL 33157</u>
 Thang Q. Dang	<u>26925 SW 97 Ave, Homestead, FL 33031</u>
 Minh Tran T. Dang	

Attorney for Petitioner

Address: _____
(Signature of Attorney not required)

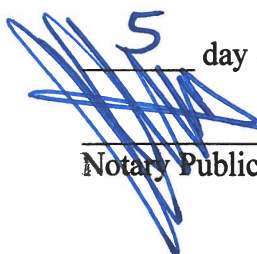
STATE OF FLORIDA)
) SS
MIAMI-DADE COUNTY)

BEFORE ME, the undersigned authority, personally appeared **Frank Castro**, 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

 5 day of June, 2020

Notary Public State of Florida at Large

My Commission Expires: _____

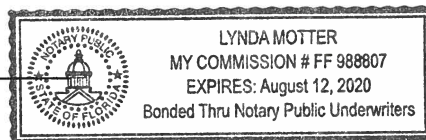


EXHIBIT 'A'

LEGAL DESCRIPTION:

THOSE PORTIONS OF RIGHT-OF-WAY SHOWN AS COCONUT AVENUE (NOW KNOWN AS SW 183 COURT), ROYAL PALM AVENUE (NOW KNOWN AS SW 183 AVENUE) AND WASHINGTON AVENUE (NOW KNOWN AS SW 182 COURT), ON REVISED PLAT BONITA GROVES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 38, PAGE 22, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF SW 222 STREET (SAPODILLA DRIVE BY PLAT) AND BOUNDED ON THE SOUTH BY A LINE 10 FEET NORTH OF AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SW 224 STREET (KUMQUAT DRIVE BY PLAT).

SURVEYOR'S REPORT :

BEARINGS SHOWN HEREON ARE RELATIVE TO AN ASSUMED MERIDIAN WHERE THE SOUTH LINE OF THE N.W. 1/4 OF SECTION 13-56-38 BEARS N90°00'00"W.

THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIFIC PURPOSE SURVEY OF PORTIONS OF DEDICATED RIGHT-OF-WAY TO BE CLOSED AND VACATED.

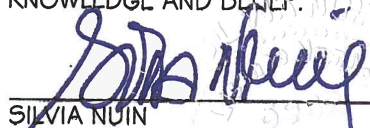
THIS SPECIFIC PURPOSE SURVEY WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES AND TO CHAPTER 5J-17 OF THE F.A.C.

ABBREVIATIONS:

P.B. PLAT BOOK
PG. PAGE
(P) PLAT

SURVEYOR'S CERTIFICATION :

I HEREBY CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



SILVIA NUIN
PROFESSIONAL SURVEYOR AND MAPPER No.5982
STATE OF FLORIDA
NOT VALID WITHOUT THE ORIGINAL SURVEYOR'S SEAL.

FOR SKETCH SEE SHEET 2

NOT A SURVEY

MANUEL Q. VERA AND ASSOCIATES, INC. ENGINEERS-SURVEYORS & MAPPERS 13960 S.W. 47th ST. MIAMI, FLORIDA 33175	PROJECT NAME: BONITA GROVES ESTATES		
	LICENSED BUSINESS No.2439		
	DRAWN BY: S.N.	SCALE:	
	DATE: 02-28-2020	JOB #:19-G91	SHEET 1 OF 2

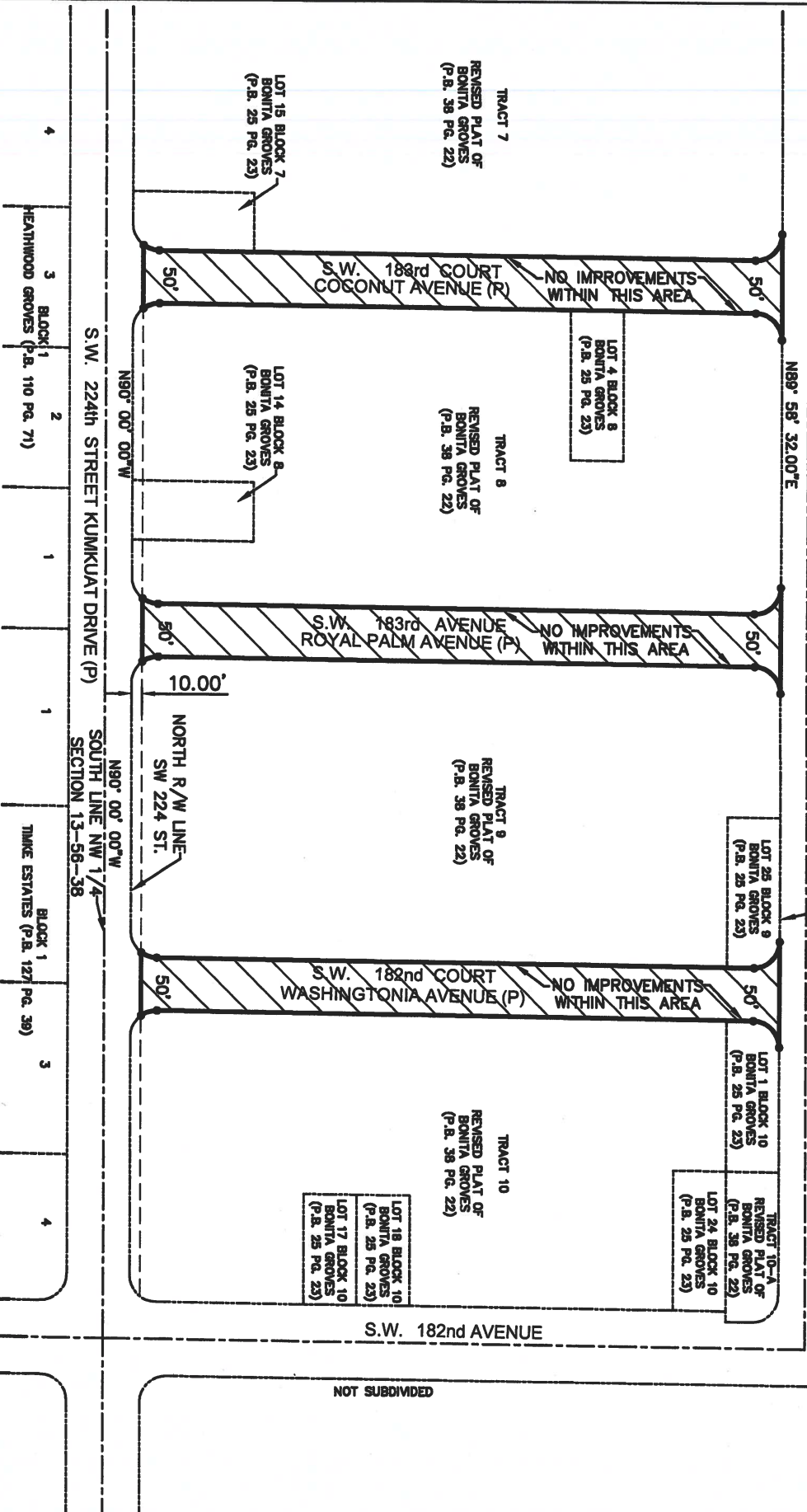
SPECIFIC PURPOSE SURVEY



SPECIFIC PURPOSE SURVEY

SKETCH OF SURVEY

SOUTH R/W LINE
SW 222 ST.
S.W. 222nd STREET SAPODILLA DRIVE (P)
N89° 58' 32.00"E



PORTIONS OF DEDICATED RIGHT OF WAY TO BE CLOSED AND VACATED

FOR REPORT AND CERTIFICATION SEE SHEET 1

MANUEL G. VERA AND ASSOCIATES, INC.

ENGINEERS-SURVEYORS & MAPPERS
13960 S.W. 47th ST. MIAMI, FLORIDA 33175

SPECIFIC PURPOSE SURVEY

PROJECT NAME: BONITA GROVES ESTATES

LICENSED BUSINESS No.2439

DRAWN BY: S.N. SCALE:

DATE: 02-28-2020 JOB #: 19-691

DATE: 02-28-2020 JOB #: 19-691 SHEET 2 OF 2



MEMORANDUM

(Revised)

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

DATE: June 15, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(I)

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(I)
6-15-21

RESOLUTION NO. _____ R-590-21

RESOLUTION GRANTING PETITION TO CLOSE SW 182 COURT, SW 183 AVENUE, AND SW 183 COURT, FROM SW 222 STREET TO SW 224 STREET (ROAD CLOSING PETITION NO. P-960)

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

WHEREAS, Road Closing Petition No. P-960 was signed by all property owners abutting the roadways 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. Subject to the recording of the plat of “BONITA GROVES ESTATES” (tentative plat T-24371), Road Closing Petition No. P-960 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 Mayor’s Memorandum is hereby vacated, abandoned, and closed. If the plat is not approved, this resolution is null and void.

Section 2. All rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed.

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

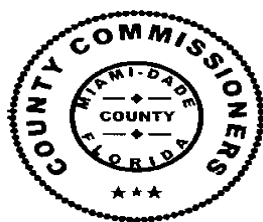
Section 4. The procedure utilized in the adoption of this resolution is expressly ratified and approved.

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 **Sen. Rene Garcia** , who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of June, 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: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to be "LEM", written over a horizontal line.

Lauren E. Morse