

MEMORANDUM

Agenda Item No. 8(N)(1)

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

DATE: October 5, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving a
maintenance map for a portion of
SW 184 Street in Sections 4 and
5, Township 56 South, Range 39
East; authorizing the Chairperson
and the Clerk of the Board to
certify the maintenance map;
authorizing the County Mayor to
take all actions necessary to
effectuate the same

Resolution No. R-916-21

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

Date: October 5, 2021

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

From: Daniella Levine Cava
Mayor 

Subject: Resolution Approving a Maintenance Map for a Portion of SW 184 Street in Sections 4 and 5, Township 56 South, Range 39 East, Miami-Dade County, Florida

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution approving a Maintenance Map, authorizing the Chairperson and the Clerk of the Board to certify same, and authorizing the recordation thereof in the Public Records of Miami-Dade County, Florida.

Scope

The subject property is located within District 8, which is represented by Commissioner Danielle Cohen Higgins

Delegated Authority

This item delegates authority to the County Mayor or the County Mayor’s designee to record the Maintenance Map in the Public Records of Miami-Dade County and to provide a recorded copy of the instrument to the Clerk of the Board.

Fiscal Impact/Funding Source

There is no fiscal impact associated with this resolution. Miami-Dade County already maintains this portion of right of way.

Track Record/Monitor

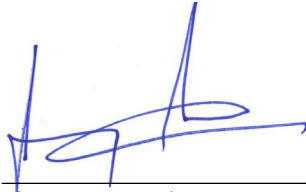
The Department of Transportation and Public Works (DTPW) is the entity overseeing this item and the person responsible is Mr. Leandro Oña, P.E., Chief, Roadway Engineering and Right-of-Way Division

Background

There are three undedicated properties which extend up to the section/center line of road along the southern portion of SW 184 Street. The northernmost 35 feet of these properties have been utilized as part of SW 184 Street and contain a fully operational traffic lane and other utilities in conjunction with the rest of the improved road. The portions of road have been maintained for more than four years. According to Section 95.361 of the Florida Statutes, the filing of a Maintenance Map in the Office of the Clerk of the Court, which has been certified by the Chairperson and the Clerk of the Board, is deemed prima facie evidence of ownership by the County. The areas depicted by the Maintenance Map attached to the Resolution as Attachment 1 are under the jurisdiction, operation, and maintenance of Miami-Dade County. An affidavit from DTPW’s Chief of the Road, Bridge and Canal Maintenance Division certifying the County’s historic maintenance of the area is attached as Attachment 2 of the Resolution. It is

Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners
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recommended that the Maintenance Map be approved by the Board, after which it will be certified by the Chairperson and the Clerk of the Board and recorded in the Public Records of Miami-Dade, County, Florida.



Jimmy Morales
Chief Operations Officer



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. 8(N)(1)

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)(1)
10-5-21

RESOLUTION NO. _____ R-916-21

RESOLUTION APPROVING A MAINTENANCE MAP FOR A PORTION OF SW 184 STREET IN SECTIONS 4 AND 5, TOWNSHIP 56 SOUTH, RANGE 39 EAST; AUTHORIZING THE CHAIRPERSON AND THE CLERK OF THE BOARD TO CERTIFY THE MAINTENANCE MAP; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE SAME

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

WHEREAS, the Director of the Department of Transportation and Public Works has recommended that an official maintenance map, stating that such road has vested in the County, be filed of record to indicate prima facie evidence of ownership, pursuant to the provisions of Section 95.361 of the Florida Statutes and the County Mayor has concurred with such recommendation,

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

Section 1. This Board incorporates and adopts the foregoing recitals.

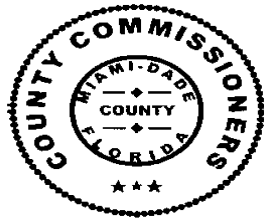
Section 2. This Board approves the Maintenance Map for those portions of SW 184 Street between 210 feet west of SW 157 Avenue and 70 feet west of SW 152 Court, in Sections 4 and 5, Township 56 South, Range 39 East, Miami-Dade County, Florida, as depicted in Attachment 1 to this Resolution. This Board authorizes the Chairperson and the Clerk of the Board to certify the same pursuant to Section 95.361 of the Florida Statutes and authorizes the County Mayor or Mayor's designee to take all actions necessary to effectuate the same.

Section 3. Pursuant to Resolution No. R-974-09, this Board (a) directs the County Mayor or Mayor’s designee to record any instruments executed in connection herewith which create or reserve a property interest in favor of the County, in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of instruments to the Clerk of the Board within thirty (30) days of execution of said instruments; and (b) 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 **Raquel A. Regalado** , who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** 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 this resolution duly passed and adopted this 5th 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

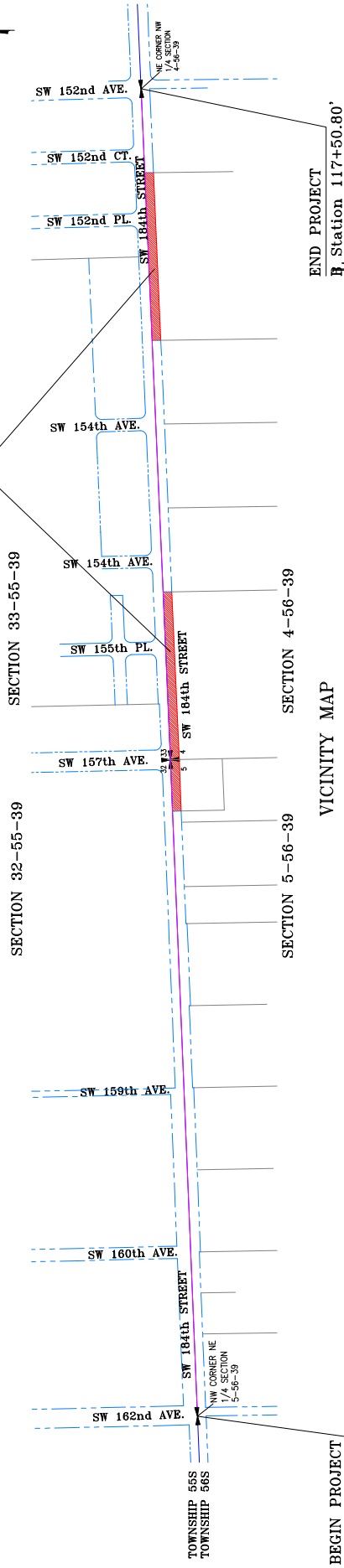
HARVEY RUVIN, CLERK

By : Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse

ATTACHMENT 1



LEGEND

- AREA BEING MAINTAINED BY MIAMI-DADE COUNTY
- R/W EXISTING
- PROPERTY LINE
- SECTION LINE
- LOT LINE
- CENTER LINE
- MAINTENANCE LINE
- OFFICIAL RECORD BOOK
- RADIUS
- DELTA
- ARC LENGTH
- BASE LINE
- CENTER LINE
- SECTION LINE
- RIGHT OF WAY
- SECTION
- PLAT BOOK
- P.C. PAGE
- R.T. POINT
- P.T. POINT
- PI POINT OF INTERSECTION

SURVEYOR'S NOTES:

-BEARINGS ARE BASED ON STATE PLANE COORDINATES, EAST ZONE, TRANSVERSE MERIDIAN SYSTEM, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTED, AND ARE REFERENCED TO A LINE BETWEEN THE FOLLOWING PROJECT CONTROL MONUMENTS:
POINT 1 : N 459012.2660 E 838733.7600
POINT 2 : N 459032.1312 E 839168.6427
THE TRAVERSE LINE HAVING A BEARING OF N 87°29'58" E.

-STREETS, STREETS, BLOCKS, AND LOTS, WERE CALCULATED FROM RECOVERED NEIGHBORING SECTION CORNERS USING PLATS OF RECORD, AND OTHER RECORD TITLE. NO OCCUPATION LINES OR PERMANENT REFERENCE MONUMENTS WERE RECOVERED BY THE AVAILABLE SURVEY.

-THIS MAINTENANCE MAP IS COMPILED FROM SECTIONAL DATA AND TOPOGRAPHIC SURVEY AS PER ELECTRONIC FILES:
SW184ST_SECTION_CORNERS.RAW
SW 184 ST 152-162 ST MAINTENANCE MAP(AA).dwg.
SW152AVE_SW184ST.RAW

UNDER PROJECT NUMBER 20200291, AND THE RESPONSIBLE CHARGE OF SCOTT RIGGS, PSM., FOR MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS, SURVEY SECTION, SW 184 STREET, IN MIAMI-DADE COUNTY, FLORIDA 33128. (305) 375-2655

-ALL DISTANCES ARE BASED UPON THE U.S. SURVEY FOOT (1 FOOT=1200/3657N).

THIS IS TO CERTIFY THAT THIS MAP NUMBERED SHEET ONE (1) OF TWO (2) IS THE OFFICIAL MAINTENANCE MAP FOR THE MAINTENANCE OF PUBLIC WORKS FOR THE REPRESENTED PORTION OF SW 184 STREET BETWEEN SW 162 AVENUE AND SW 152 AVENUE IN MIAMI-DADE COUNTY, FLORIDA.

THIS MAINTENANCE MAP WAS APPROVED BY RESOLUTION No. _____, PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, ON THIS _____ DAY OF _____, A.D. 2021.

ACCEPTED FOR FILES AND RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA THIS _____ DAY OF _____, A.D. 2021, AT _____ M. IN ROAD MAP BOOK _____ AT PAGE _____

Clerk of the Circuit Court
Miami-Dade County, Florida

By _____
Deputy Clerk
Harvey Ruvlin

THE PROPERTY, SHOWN CRASHBATCHED ON SAID MAP, HAS BEEN VISITED BY MIAMI-DADE COUNTY PUBLIC WORKS, IN ACCORDANCE WITH CHAPTER 95.36(12), FLORIDA STATUTES OF 1991, IN ADDITION TO ANY OTHER FORMAL CONVEYANCE, STATUTE, OR OTHER INSTRUMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND AFFIXED THE SEAL OF THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, ON THIS _____ DAY OF _____, A.D. 2021.

Attest:
HARVEY RUVLIN, Clerk
MIAMI DADE-COUNTY, FLORIDA
by its Board of County Commissioners

By _____
Deputy Clerk
By _____
CHAIRMAN

THIS IS TO CERTIFY THAT I, DENNIS J. FERNANDEZ, DIVISION CHIEF OF TRANSPORTATION AND PUBLIC WORKS, MIAMI-DADE COUNTY, FLORIDA, HAVE DETERMINED, TO THE BEST OF MY KNOWLEDGE, THAT MIAMI-DADE COUNTY ROAD FORCES HAVE MAINTAINED THE OVERSIGHT OF THE MAINTENANCE OF THE ROAD CORNERS OF THE ROAD ALONG THIS PORTION OF SW 184 STREET, IN MIAMI-DADE COUNTY, FLORIDA, FOR AT LEAST FOUR (4) YEARS.

Dennis J. Fernandez, Division Chief
Road, Bridge and Canal Maintenance Division
Department of Transportation and Public Works
Miami-Dade County

MAINTENANCE MAP

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



REVISION	BY	DATE	SUBMITTED BY	DATE	DATE
			DATE		
			DATE		
			DATE		
			DATE		

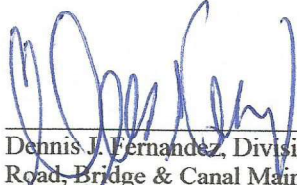
FROM SW 102 AVE. TO SW 162 AVE.
SW 184 STREET

FILES USED: SW184ST-152-162 MAINT MAP(AA).DWG
SW 184 ST 152-162 MAINT MAP(AA).DWG
SCALE: 1" = 200'
PROJECT: 20200291
SHEET: 1 OF 2

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AFFIDAVIT

THIS IS TO CERTIFY THAT I, Dennis J. Fernandez, Chief of the Road, Bridge and Canal Maintenance Division of the Miami-Dade County Department of Transportation and Public Works have determined, to the best of my knowledge, that Miami-Dade County road forces have maintained along SW 184 Street between 210 feet West of SW 157 Avenue and 70 feet West of SW 152 Court, the pavement, signing, drainage, swale, and trees of the road thereof, in Miami-Dade County, Florida, for at least four (4) years.



Dennis J. Fernandez, Division Chief
Road, Bridge & Canal Maintenance Division
Department of Transportation and Public Works
Miami-Dade County

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

I HEREBY CERTIFY, that on this 26 day of MARCH, A.D. 2021, before me, an officer duly authorized to administer oaths and take acknowledgments personally appeared by means of ☒ physical or ☐ online notarization DENNIS J. FERNANDEZ, personally known to me, or proven, by producing the following identification: FLORIDA'S LICENSE, to be the person who 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 the year last aforesaid.



Notary Signature

RAUL O. BALLINA

Printed Name

Notary Public, State of FLORIDA

My Commission expires: 7/23/2022

Commission No.: GG 241087



RAUL O. BALLINA
Commission # GG 241087
Expires July 23, 2022
Bonded Thru Budget Notary Services®

SEAL/ NOTARY SEAL / STAMP

EXHIBIT 2