

MEMORANDUM

Agenda Item No. 5(E)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 7, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution granting petition to
close SW 203 Avenue from SW
326 Street to SW 328 Street
(Vacation of Right-of-Way
Petition No. P-997) filed by Loco
Cado 2 LLC and Loco Cado 3
LLC, subject to certain
conditions

Resolution No. R-964-23

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


Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: November 7, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Vacation of Right-of-Way Petition P-997
Section: 15-57-38
SW 203 Avenue from SW 326 Street to SW 328 Street
Commission District: 9

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant a petition filed by Loco Cado 2 LLC and Loco Cado 3 LLC to vacate the subject portion of County right-of-way. The owners of all the properties abutting on the subject portion of ROW wish to close theoretical SW 203 Avenue, from SW 326 Street to SW 328 Street. If this petition is granted, the underlying lands will become incorporated into the plat of COUNTRY CLUB DRIVE SUBDIVISION. The \$1,960 fee for this vacation of right-of-way petition has been paid. The subject portion of right-of-way is covered with grass and brush and has never been improved nor maintained by the County.

Recommendation

It is recommended that the Board grant vacation of right-of-way petition P-997, attached to this Memorandum as Exhibit 2, following a public hearing, and contingent on the recording of the plat of COUNTRY CLUB DRIVE SUBDIVISION, Tentative Plat T-24802. In the event the plat is not recorded within four years of the granting of the subject vacation of right-of-way petition, this resolution becomes null and void. The Miami-Dade County (County) Departments of Regulatory and Economic Resources, Transportation and Public Works (DTPW), Water and Sewer, and Fire Rescue 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. 7606. The subject right-of-way is covered with grass and brush. Location maps are attached as Exhibit 1.

Scope

The subject vacation of right-of-way petition is located within District 9, which is represented by Commissioner Kionne L. McGhee.

Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the properties adjacent to the subject portion of right-of-way at an average rate of \$3.44 per square foot. Therefore, the estimated value of the subject land is approximately \$51,556. If the subject portion of right-of-way is closed and vacated, the land will be placed on the tax roll, generating an estimated \$879 per year in additional property taxes. The fee for this vacation of right-of-way petition is \$1,960. In accordance with Implementing Order No. 4-41, since the subject portion of right-of-way is being replaced by the dedication of SW 203 Court, SW 327 Street, and portions of SW 326 Street, SW 328 Street, and SW 202 Avenue by the proposed plat, the additional processing fee does not apply to this petition.

Track Record/Monitor

Attachments: Exhibit 1 – Location Maps, Exhibit 2 – Vacation of Right-of-Way Petition P-997, Exhibit “A” – Sketch and Legal Description, Exhibit “B” – Title Report, Exhibit “C” – Tentative Plat T-24802

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

Delegated Authority

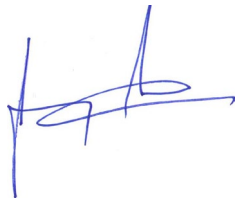
There is no delegation of authority associated with this item.

Background

The owners of all the properties abutting on the subject portion of right-of-way, Loco Cado 2 LLC and Loco Cado 3 LLC, wish to close theoretical SW 203 Avenue from SW 326 Street to SW 328 Street to incorporate the land into the proposed plat of COUNTRY CLUB DRIVE SUBDIVISION, Tentative Plat T-24802. This plat will create a subdivision of 23 single-family residential lots and will dedicate land for right-of-way to include new 50-foot-wide segments of SW 203 Court and SW 327 Street and portions of land to complete the required right-of-way widths along SW 326 Street, SW 328 Street, and SW 202 Avenue fronting on the petitioners' properties.

The subject portion of right-of-way is covered with grass and brush and has never been improved nor maintained by the County. This land was dedicated to the County for roadway purposes in 1925 by the plat of GOLF & COUNTRY CLUB SUBDIVISION, recorded in Plat Book 24, at Page 77, of the Public Records of Miami-Dade County, Florida. The original plat depicts a 50-foot-wide right-of-way for SW 203 Avenue (labeled as Avenue "A" on said plat) between SW 326 Street (Third Street) and SW 328 Street (South Street). However, the property owner who platted the land did not in fact own the portion of land lying easterly of the centerline of SW 203 Avenue between SW 326 Street and SW 328 Street at the time that the land was platted as shown on a title report attached to the road closing petition as Exhibit "B". Additionally, the plat contains a note stating that the parcel of land lying easterly of the portion of SW 203 Avenue sought to be closed is "not included in this plat except as reference." Therefore, the easterly 25 feet of this portion of SW 203 Avenue was not actually dedicated to the County by the original plat, nor was any documentation found that it was dedicated to the County at a later date. For these reasons, only the 25-foot-wide portion of land lying westerly of the centerline of SW 203 Avenue is included in this vacation of right-of-way petition.

All the properties abutting on the subject portion of right-of-way are zoned EU-M (Estates Modified, single-family, minimum lot area 15,000 square feet).



Jimmy Morales
Chief Operations Officer

Location Map

SECTION 15 TOWNSHIP 57 S RANGE 38 E

EXHIBIT "1"



This is not a survey

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

P- 997

MIAMI-DADE COUNTY
Department of Transportation & Public Works
Right-of-Way Division

111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-2714 FAX (305) 375-2825

Date: August 02, 2022
Prepared by : ym

Legend

P-997 ROAD CLOSING

MDC004

Location & Aerial Map

SECTION 15 TOWNSHIP 57 S RANGE 38 E

EXHIBIT "1"



This is not a survey

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

P- 997

MIAMI-DADE COUNTY
Department of Transportation & Public Works
Right-of-Way Division

111 NW 1st STREET, SUITE 1610, MIAMI FLORIDA 33128
PH (305) 375-2714 FAX (305) 375-2825

Date: August 02, 2022
Prepared by: ym

Legend

 P-997 ROAD CLOSING

MDC005

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 petition the Board of County Commissioners to vacate, abandon, discontinue and close an existing public or private 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 the 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 a 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 or land sought to be closed is as follows:

SEE EXHIBIT "A"

Address: 20351 SW 328th Street
Folio: 30-7815-001-0015

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 or land was acquired and is evidenced in the following manner (state whether public interest acquired by deed, dedication or prescription and set forth where deed or plat is recorded in public records):

Public interest was acquired the west 25 feet of SW 203rd Avenue south of SW 326th Street and north of SW 328th Street by the Golf & Country Club Subdivision Plat recorded in Plat Book 24, Page 77 of the Public Records of Miami-Dade County, Florida (the "Plat"). The Plat indicates that 50 feet of right of way is being dedicated for SW 203rd Avenue; however, it is important to note that the entity that signed the Plat, the Homestead Golf Country Club Corporation, did not own any portion of the property adjacent to the east of SW 203rd Avenue, south of SW 326th Street (the "Excluded Parcel"), which is labeled "NOT INCLUDED IN THIS PLAT EXCEPT AS REFERENCE". (See Chicago Title Insurance Company Deed History for the Excluded Parcel dated December 27, 2021, attached as EXHIBIT B, pages 8, 9, and 10 of which indicate ownership of the Excluded Parcel at the time of platting). Accordingly, that eastern 25 feet of SW 203rd Avenue was not dedicated pursuant to the Plat. Additionally, neither our records nor the County's relevant section sheet indicates that any other instrument dedicated the eastern 25 feet of SW 203rd Avenue.

3. ATTACH SURVEY SKETCH: Attached hereto is a survey or location sketch accurately showing and describing the above described road, right of way or land and its

MIAMI 9640934.1 70000/61238

location and relation to surrounding property, and showing all encroachments and utility easements. **See Exhibit "C" attached.**

4. ABUTTING PROPERTY OWNERS: The following constitutes a complete and accurate schedule of all owners and occupants of property abutting upon or adjacent to the above described road, right of way or lands and all persons who will be affected by the closing and abandonment thereof (all interested or affected persons must either sign this petition or sign a written consent):

Name	Folio	Address
Loco Cado 2 LLC	30-7815-000-0351	N/A
Loco Cado 2 LLC	30-7815-000-0352	N/A
Loco Cado 3 LLC	30-7815-001-0015	20351 SW 328 Street

[Application Continues on Next Page]

MIAMI 9640934.1 70000/61238

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. **NO FEDERAL OR STATE HIGHWAY AFFECTED:** The undersigned certify that the above described road, right of way or land is not a part of any state or federal highway and was not acquired or dedicated for state or federal highway purposes; and that such road, right of way or land is under the control and jurisdiction of the Board of County Commissioners.

7. **GROUND FOR GRANTING PETITION:** The undersigned submit as grounds and reasons in support of this petition the following (state why petition should be granted):

The area to be vacated, the west 25 feet of SW 203rd Avenue south of SW 326th Street and north of SW 328th Street, was platted in 1925 as part of the adjacent lots to the west pursuant to the Golf & Country Club Subdivision Plat recorded in Plat Book 24, Page 77. Nearly 100 years later, the property subject to the plat was never developed pursuant to the plat. Instead, the property surrounding the area to be vacated is being platted and a 50-foot right of way running east and west between SW 203rd Court and SW 202nd Avenue aligning with theoretical SW 327th Street is proposed to be dedicated as part of the plat. None of the surrounding properties will be deprived of access as a result of the proposed road closure.

The existing dedication fails to provide meaningful connection as the surrounding lands have been developed inconsistently with the dedication or not at all. Only the west 25-foot portion of SW 203rd Avenue (south of SW 326th Street and north of SW 328th Street) was ever dedicated. The eastern 25 feet of that portion of SW 203rd Avenue was never dedicated. As depicted below in Figure 1, to the north, 203rd Avenue dead-ends in a single-family residences, which were platted pursuant to a different plat recorded in Plat Book 162, Page 81.

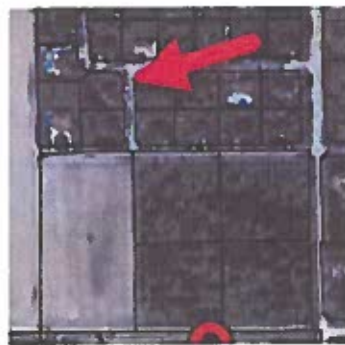


Figure 1

MIAMI 9640934.1 70000/61238

To the south, as depicted in *Figure 2*, the parcels are bifurcated under various separate owners with an irregular-shaped triangular parcel rendering dedication to the south unlikely.

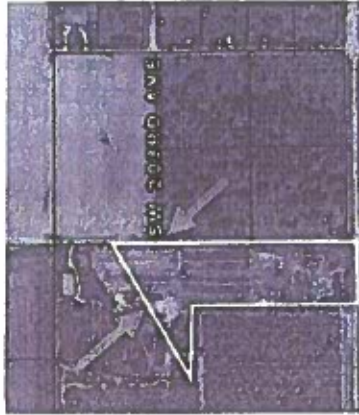


Figure 2

Therefore, the small stretch within the property would not provide meaningful access and would only serve the subject parcel.

(Petition must be signed by all property owners abutting the road, right of way or lands to be closed or abandoned)

Respectfully submitted,

SIGNATURE

FOLIOS


Jodie Bakes, Manager of Loco Cado 2 LLC
& LOCO CADO 3 LLC

30-7815-000-0351 and 30-7815-000-0352
AND 30-7815-001-0015

MIAMI 9659910.2 73190.10719

Attorney for Petitioners

Brian S. Adler
Bilzin Sumberg
1450 Brickell Avenue, Suite 2300
Miami, FL 33131
(305) 350-2351
badler@bilzin.com

(Signature of attorney not required)

STATE OF FLORIDA)
) ss.:
COUNTY OF MIAMI-DADE)

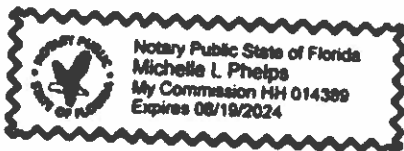
BEFORE ME, the undersigned authority, personally appeared Jodie Bates, who first by me duly sworn, deposes and says that he is one of the petitioners named in and who signed the foregoing petition; that he is duly authorized to make this verification for and on behalf of all petitioners; that he has read the foregoing petition and that the statements therein contained are true.

Jodie Bates
(Signature of Petitioner)

Sworn and subscribed to before me this
22 day of July, 2022.

Notary Public State of Florida at Large
My Commission Expires: 08/19/2024

Michelle L. Phelps
Michelle L. Phelps



MIAMI 9659910.2 73190.10719

EXHIBIT "A"

EXHIBIT "A"
AVENUE "A" (SW 203RD AVENUE)
RIGHT-OF-WAY VACATION
LEGAL DESCRIPTION

LEGEND AND ABBREVIATIONS:

CL	CENTERLINE	P.B.	Plat Book	S.F.	Square Feet
SEC	Section	±	More or Less	POC	Point of Commencement
ORB	Official Records Book	R/W	Right-of-Way	①	Block Number
POB	Point of Beginning	PG.	Page	—X—	Chain Link Fence
MW	Monitoring Well				

SURVEYOR'S REPORT:

1. THIS SURVEY PRODUCT AND NOTES, OR THE COPIES THEREOF, ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH IS NOT A LAND SURVEY.
3. ADDITIONS OR DELETIONS TO SURVEY PRODUCT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
4. THIS DOCUMENT CONSISTS OF TWO (2) SHEETS AND EACH SHEET WILL NOT BE CONSIDERED FULL, VALID, NOR COMPLETE UNLESS ATTACHED TO THE OTHER.
5. BEARINGS ARE BASED ON AN ASSUMED VALUE OF S89°31'19"W ALONG THE SOUTH LINE OF THE SW 1/4 OF SECTION 15, TOWNSHIP 57 SOUTH, RANGE 38 EAST.
6. AS OF THE DATE OF THIS SKETCH, NO IMPROVEMENTS EXISTS IN THE SUBJECT AREA.

LEGAL DESCRIPTION:

A PORTION OF RIGHT-OF-WAY OF AVENUE "A" (ALSO KNOWN AS SOUTHWEST 203RD AVENUE) AS SHOWN ON GOLF & COUNTRY CLUB SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 15, TOWNSHIP 57 SOUTH, RANGE 38 EAST IN MIAMI-DADE COUNTY, FLORIDA; THENCE S89°31'19"W AS A BASIS OF BEARINGS ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 672.51 FEET; THENCE N00°50'18"W FOR 40.00 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE S89°31'19"W FOR 25.00 FEET TO A POINT OF INTERSECTION WITH THE EAST LIMIT OF BLOCK 7 OF SAID PLAT; THENCE N00°50'18"W ALONG SAID EAST LIMIT FOR 598.89 FEET; THENCE N89°32'05"E FOR 25.00 FEET; THENCE S00°50'18"E FOR 598.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 14,972 SQUARE FEET, MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: THAT THE LEGAL AND SKETCH OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY SUPERVISION AND THAT THE LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES. AND, THAT THE SKETCH HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON. THIS SKETCH DOES NOT REPRESENT A LAND SURVEY.


ARTURO A. SOSA
PROFESSIONAL SURVEYOR AND MAPPER NO. 2629
STATE OF FLORIDA
art@ludovici-orange.com



LUDOVICI & ORANGE
CONSULTING ENGINEERS, INC.
CERTIFICATE OF AUTHORIZATION NO. LB 1012
13501 SW 128 STREET SUITE 211 MIAMI, FLORIDA 33186
Phone: 305-448-1600 | info@ludovici-orange.com

DRAWN: GB
CHECKED: AS
SCALE: AS NOTED
DATE: 07/06/2022
PROJ. #: 2021 68B

SHEET:
1
OF 2 SHEETS

EXHIBIT "B"

CHICAGO TITLE INSURANCE COMPANY

13800 NW 14th Street, Suite 190, Sunrise, Florida 33323

PROPERTY INFORMATION REPORT

File Number: 10190160

Reference: Loco Cado 2 LLC

Provided for: **White & Case, LLP**
Attention: Betsy Smalley
200 S. Biscayne Boulevard
Suite 4900
Miami, Florida 33131

CHICAGO TITLE INSURANCE COMPANY does hereby certify that a search of the Public Records of Miami-Dade County, Florida from November 1, 1925 at 6:00 a.m., to December 27, 2021 at 11:00 p.m. on the land described:

The Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ in Section 15, Township 57 South, Range 38 East, lying and being in Miami-Dade County, Florida.

Folio No.: 30-7815-000-0350
30-7815-000-0351
30-7815-000-0352
30-7815-000-0353

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

Deed filed December 31, 1914, recorded in Deed Book 127, Page 29, from Model Land Company, to Russell F. Tatum. (All)

Deed filed December 31, 1914, recorded in Deed Book 132, Page 193, from Russell F. Tatum and his wife, Jessie R. Tatum, to Gladis Carter. (All)

Deed filed November 19, 1925, recorded in Deed Book 799, Page 269, from Julian H. Webster and his wife, May H. Webster, to Sutton-Withoft Company. (All)

Deed filed November 19, 1925, recorded in Deed Book 799, Page 270, from Gertrude Breslau Fuller, joined by her husband Albert M. Fuller, to Julian H. Webster. (All)

Deed filed November 19, 1925, recorded in Deed Book 799, Page 271, from Gladis Carter, now Gladis Carter McKimmey, joined by her husband, John McKimmey, to Gertrude Breslau Fuller. (All)

Warranty Deed January 3, 1929, recorded in Deed Book 1273, Page 422, from Sutton-Withoft Company, to Gertrude Broslau Fuller. (All)

Warranty Deed filed May 11, 1942, recorded in Deed Book 2232, Page 175, from Gertrude Breslau Fuller, an unmarried woman, to F. Vernon Ash and M. Ethel Ash. (All)

Warranty Deed filed November 26, 1947, recorded in Deed Book 2943, Page 164, from F. Vernon Ash and M. Ethel Ash, husband and wife, to Ervin A. Jackson and Audrey Jackson, husband and wife. (All)

Warranty Deed filed July 19, 1956, recorded in Deed Book 4304, Page 194, from Ervin A. Jackson and Audrey Jackson, his wife, to Coleman P. Cook and Mary M. Cook, his wife. (All)

Warranty Deed filed November 13, 1957, recorded in Official Records Book 530, Page 124, from Coleman P. Cook and Mary M. Cook, his wife, to Francis J. Mongin and Jeanette C. Mongin, his wife. (All)

Warranty Deed filed December 26, 1972, recorded in Official Records Book 8048, Page 814, from Francis J. Mongin and Jeanette C. Mongin, his wife, to Gelt, Inc. (All)

Warranty Deed filed April 12, 1974, recorded in Official Records Book 8648, Page 970, from Gelt, Inc., a Florida corporation, to Donna Solk. (SW SE SE SW)

Warranty Deed filed April 12, 1974, recorded in Official Records Book 8648, Page 971, from Gelt, Inc., a Florida corporation, to Bud Solk. (SE SE SE SW)

Warranty Deed filed April 12, 1974, recorded in Official Records book 8648, Page 972, from Gelt, Inc., a Florida corporation, to Betty Shkoler. (NW SE SE SW)

Warranty Deed filed April 12, 1974, recorded in Official Records Book 8648, Page 973, from Gelt, Inc., a Florida corporation, to Sandra Share. (NE SE SE SW)

Warranty Deed filed January 13, 1976, recorded in Official Records Book 9204, Page 212, from Donna Solk, joined by her husband, Bud Solk, to Blanche Sapp. (SW SE SE SW)

Warranty Deed filed January 13, 1976, recorded in Official Records Book 9204, Page 213, from Sandra Share, joined by her husband, Norman Share, to Blanche Sapp. (NE SE SE SW)

Warranty Deed filed January 13, 1976, recorded in Official Records Book 9204, Page 214, from Betty Shkoler, an unremarried widow, to Blanche Sapp. (NW SE SE SW)

Warranty Deed filed January 13, 1976, recorded in Official Records Book 9204, Page 215, from Bud Solk, joined by his wife, Donna Solk, to Blanche Sapp. (SE SE SE SW)

Warranty Deed filed January 13, 1976, recorded in Official Records Book 9204, Page 216, from Gelt, Inc., to Blanche Sapp. (NW SE SE SW)

Warranty Deed filed January 13, 1976, recorded in Official Records Book 9204, Page 217, from Gelt, Inc., to Blanche Sapp. (SW SE SE SW)

Warranty Deed filed January 13, 1976, recorded in Official Records Book 9204, Page 218, from Gelt, Inc., to Blanche Sapp. (SE SE SE SW)

Warranty Deed filed January 13, 1976, recorded in Official Records Book 9204, Page 219, from Gelt, Inc., to Blanche Sapp. (NE SE SE SW)

Petition for Administration filed December 8, 1998, recorded in Official Records Book 18353, Page 3901. In Re: Estate of: Blanche W. Sapp, Deceased. Date of Death: November 15, 1998. Case No. 98-05200 01.

Order Admitting Will to Probate and Appointing Personal Representative filed December 8, 1998, recorded in Official Records Book 18353, Page 3904. In Re: The Estate of Blanche W. Sapp, Deceased. Date of Death: November 15, 1997. Case No. 98-05200 01.

Last Will and Testament of Blanche W. Sapp filed December 9, 1997, recorded in Official Records Book 18353, Page 3905.

Oath of Personal Representative Designation of Resident Agent and Acceptance filed December 8, 1998, recorded in Official Records Book 18353, Page 3909. In Re: The Estate of: Blanche W. Sapp, Deceased.

Order Re-Opening Estate filed February 26, 2003, recorded in Official Records Book 21022, Page 3833. In Re: Estate of Blanche W. Sapp, Deceased.

Letters of Administration (Single Personal Representative) filed February 26, 2003, recorded in Official Records Book 21022, Page 3834. In Re: The Estate of Blanche W. Sapp, Deceased. Date of Death: November 15, 1957.

Order of Discharge filed March 21, 2003, recorded in Official Records Book 21055, Page 4708. In Re: Estate of: Blanche W. Sapp, Deceased. Case No. 98-05200 Div. 01.

Letters of Administration filed March 25, 2003, recorded in Official Records Book 21123, Page 4698. In Re: Estate of: Blanche W. Sapp, Deceased. Date of Death: November 15, 1997. Case No. 98-05200 01.

Personal Representative's Deed filed July 5, 2005, recorded in Official Records Book 23538, Page 1030, from Steven Samuel Sapp, Personal Representative of the Estate of Blanche W. Sapp, Deceased, to Steven Samuel Sapp, Trustee of the Blanche W. Sapp Family Trust u/t/d November 13, 1997.

Memorandum of Trust filed July 5, 2005, recorded in Official Records Book 23538, Page 1042. Re: Steven Samuel Sapp, Trustee of the Blanche W. Sapp Family Trust, u/t/d November 13, 1997.

Warranty Deed filed July 13, 2012, recorded in Official Records Book 28186, Page 946, from Steven Samuel Sapp, Trustee of the Blanche W. Sapp Family Trust, u/t/d November 13, 1997, to The Sapp Family Revocable Trust u/t/d April 15, 2003.

Corrective Warranty Deed filed November 21, 2012, recorded in Official Records Book 28368, Page 1649, from Edwin Benjamin Sapp, Individually and as successor Trustee of The Blanche W. Sapp Family Trust u/t/d November 13, 1997, to Edwin Benjamin Sapp, Individually and as Trustee of the Sapp Family Revocable Trust u/t/d April 15, 2003. (Ref: Warranty Deed O.R. Book 28186, Page 946)

Trustee's Affidavit filed November 21, 2012, recorded in Official Records Book 28368, Page 1651. Re: Edwin Benjamin Sapp, as sole Trustee of The Sapp Family Revocable Trust u/t/d April 15, 2003.

Warranty Deed filed November 21, 2012, recorded in Official Records Book 28368, Page 1663, from Edwin Benjamin Sapp, Individually and as Trustee of the The Sapp Family Revocable Trust u/t/d April 15, 2003, to Loco Cado 2 LLC, a Florida limited liability company.

The following mortgages and liens identifying the captioned property remain unsatisfied or unreleased, of record in accordance to the terms exhibited on this Certificate:

NONE

Name Search on the Fee Simple Title Owner only:

LOCO CADO 2 LLC

And found the following:

NOTHING FOUND

PROPERTY INFORMATION REPORT

FILE NUMBER: 10190160

CHICAGO TITLE INSURANCE COMPANY hereby certifies that the foregoing Certificate of Search was compiled by it from the Public Records of County of Miami-Dade, State of Florida, and from such other public records and sources as are herein indicated.

CONTENTS: This Certificate lists the last conveyance by deed or Certificate of Title, identifying the lands described in the caption hereof and appearing of record in the Office of the Circuit Court of Miami-Dade, Florida, recorded in said office that identify the land shown on the caption of this certificate by a land description.

This Certificate lists all mortgages, leases, notice of lis pendens, unsatisfied or unreleased of record, identifying the land described in the caption hereof and appearing of record in the Office of the Circuit of Miami-Dade County, Florida, including all security instruments and financing statements filed pursuant to Chapters 671 through 679 of the Florida Statutes (The Uniform Commercial Code). No search is made for security instruments, financing statements or liens that describe any land by a mailing or street address only.

This Certificate exhibits or makes reference to all orders appointing receivers or liquidators, to all Bankruptcy proceedings, Rico Lien Notices, unsatisfied Judgments decrees or orders for money, unsatisfied State and Federal Tax Liens and Warrants appearing of record in the Office of the Clerk of Circuit Court of Miami-Dade County, Florida, and in the Office of the Clerk of the United States District in and for the Southern District of Florida, Miami Division, and probate, lunacy, competency and guardianship proceedings in the Office of the County Judge of Miami-Dade County, Florida and/or Office of the Clerk of Circuit Court of Miami-Dade County, Florida, against the names, initials and abbreviations (only as listed on this certificate unless otherwise noted), within the period set opposite said names. No search is made for unsatisfied Judgments decrees or orders for money, against mortgages or other lien holders.

FORM: Determination of the regularity, validity, sufficiency, or legal effect on marketability or insurability of title to said lands of any instrument listed on this Certificate are referred to the examiner.

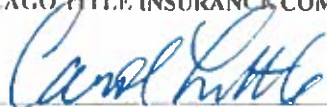
THERE IS EXCEPTED FROM THIS CERTIFICATE

- (1) Municipal and County Zoning Ordinances.
- (2) Incorporation papers of municipalities.
- (3) Decrees and Ordinances creating taxing and Drainage Districts.
- (4) Except on special request, information relating to Bankruptcy proceedings is limited to the showing of style and number of case and time of filing of petition and adjudication.
- (5) Information regarding delinquent and reinstated corporation and dissolved corporation as contained in report filed by Secretary of State pursuant to Chapter 14677 as amended by Chapter 16726 Acts of Florida 1931 and Chapter 16880 Acts of 1935.
- (6) Maps or plats and resolutions pertaining to flood criteria and all county water-control plan plats.
- (7) Except on special request, and unless otherwise noted, all information regarding Taxes, Tax Sales, Municipal or County liens or assessments pertaining to or affecting captioned premises.
- (8) Judgments, decrees or orders for money not filed under a Clerk's File Number and recorded in Official Records Book in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida filed subsequent to January 1, 1972.
- (9) Rico Lien Notices not filed under Clerk's File Number and recorded in the Official Records Book in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida.
- (10) Except on special request and unless otherwise noted, the period covered by this certificate is limited to the thirty (30) years preceding the date of this Certificate.

IN WITNESS WHEREOF, the said company has caused these presents to be signed in its name and its Corporate Seal to hereto affixed at Weston, Florida, this 26th day of January, 2022.

CHICAGO TITLE INSURANCE COMPANY

By



This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

To

Clerk of the Circuit Court.

By Ed. Ed. Hammer D. C.

Number of Dead 3154

THIS INDENTURE, made this Second day of December in the year A. D. nineteen hundred and twelve, between the

Model Land Company, a corporation duly established and existing under the laws of the State of Florida, party of the first part, and

of the County of Rock and State of Ill. In part of of the second part.

Witnesseth, that the said party of the first part, for and in consideration of the sum of Three Hundred Dollars, to it in hand paid by the said part 2 of the second part, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, release, convey and confirm unto the said part 2 of the second part West Sec 34 and adjacent A.L.L. that tract, lot, or parcel of land, situate, lying and being in the County of Alachua and State of Florida, known and described as follows:

of land, situated, lying and being in the County of Alachua and State of Florida, known and described as follows:

21 1/2 Acres of land of the landward side of the Florida
inland Quarantine Station, visible from the 14th St. Junction
Highway 315.2, approximately 1/2 mile from the 15th St. Junction
Highway 315.2, containing item (10) above, more or less

Together with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise appertaining.

To Have and to Hold all and singular the premises and appurtenances, and every part thereof, unto the said part 2 of the second part of the first and assigns, forever.

And the said party of the first part, and its successors, the said premises and every part thereof, unto the said part ⁴ of the second part *his heirs* and assigns, against it, the said party of the first part and its successors, and all and every other person or persons, claiming under or through it, will warrant and forever defend all these presents.

In Witness Whereof, the said party of the first part has caused these presents to be sealed with its corporate seal and signed by its _____ President and attested by its Secretary as the act and deed of the corporation, this _____ day of _____, 19____.

Signed, sealed and delivered in presence of

MODEL LAND COMPANY,

Attest:

President.

Secretary.

State of Ind. La. & Co.

County of San Francisco

Be it known that on this day, before me, a Justice of the Peace for the State of Colorado, duly commissioned and sworn, personally appeared John A. Brown, President of the Model Land Company, to me known to be such

President and to be the individual described in and who as such, _____ President subscribed the name of said Company and his own name to the foregoing deed and declared and acknowledged that he subscribed thereto the name of said corporation and his own name as its President and as for the net and deed of said Model Land Company, and that he did the same by order of the Board of Directors of said corporation.

in Witness Whereof, I have hereunto set my hand and affixed my seal of office this 4th day of December, A. D. 1914.
My commission expires March 22, 1917. (S. P.) Edward J. Connelley, Jr., Clerk

STATE OF FLORIDA

ST. JOHN'S COUNTY

Be it known, that on this day, before me, a Notary Public for the State of Florida, duly commissioned and sworn, personally appeared Sidney Harrison, Secretary of the Model Land Company, to me known to be such Secretary and to be the individual described in and such Secretary subscribed the foregoing deed, and declared and acknowledged that the seal affixed thereto is the corporate seal of the said Model Land Company; that the same was by him affixed to said deed by order of the Board of Directors of said corporation, and that he subscribed his name thereto as Secretary of said Company by a like order.

Therein as Secretary of said Company by a like instrument.
In Witness Whereof, I have hereunto set my hand and affixed my seal of office this 4th day of December 1914 A. D. 1914
My commission expires March 20, 1915
Notary Public.

STATE OF FLORIDA

COUNTY OF DANE

Be it remembered, That this instrument was recorded in Book 127 of Deeds on page 417

НУ В.О. В.В. Акимовых. С

DB 132/193

12-31-1914

all

19

Russell F. Tatum wife
Gladie Carter

Filed for record the 11th day of December 1914
By *E. T. Merritt*
Clerk of the Circuit Court.

Number of Dads _____ By *A. M. Allen* D. C.

This Indenture, Made *11th* day of *December* A. D. 1914
BETWEEN *Russell F. Tatum and his wife Jennie B. Tatum*
of the County of *Dade* in the State of *Florida*, parties of the first
part, and *Gladie Carter*
of the County of *Dade* in the State of *Florida*, party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of *Five Dollars and 00/100*
Five Dollars
to *them* is hand paid by the said party of the second part, the receipt whereof is hereby acknowledged. *Have* granted,
bargained and sold to the said party of the second part, heirs and assigns forever, the following described land, situate, lying and being in
the County of *Dade* and State of *Florida*, to-wit:

*The Southwest Quarter of the Southwest Quarter
of the Quarter Section 16, of all 1/4 of Section 16, of Township 11 N,
Range 30 E, County of Dade, State of Florida, containing
Twenty Five (25) Acres, more or less.*

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all
persons whatsoever.

IN WITNESS WHEREOF, the said parties of the first part *have* hereunto set *their* hand and seal
the day and year first above written.

Witnessed, signed and delivered in presence of us:

Russell F. Tatum (Seal)
Jennie B. Tatum (Seal)

STATE OF FLORIDA
COUNTY OF DADE

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledg-
ments, *Russell F. Tatum and Jennie B. Tatum*
to me well known to be the persons described in and who executed the foregoing deed, and *they have* acknowledged before me
that *they* executed the same freely and voluntarily for the purposes therein expressed.

AND I FURTHER CERTIFY, That the said *Jennie B. Tatum*
Russell F. Tatum
known to me to be the wife of the said *Russell F. Tatum* on a separate and private examination
taken and made by me before me, separately and apart from her said husband, did acknowledge that she made herself a party to said deed for the
purpose of reserving, relinquishing and conveying all her right, title and interest, whether of *law*, homestead or of separate property, dila-
tory or equitable, in and to the lands described therein, and that she executed the said deed freely and voluntarily and without any compulsion,
constraint, apprehension or fear of or from her said husband.

WITNESS my hand and official seal at *Dade* County of *Dade* State of *Florida* this *11th* day of *December* A. D. 1914
E. T. Merritt
Clerk of the Circuit Court.

STATE OF FLORIDA
COUNTY OF DADE

This instrument was filed for record this *11th* day of *December* 1914, and duly recorded in Book *132*
of Dads at Page *19* Record verified.
WITNESS my hand and official seal.

E. T. Merritt Clerk Circuit Court.
By *A. M. Allen* D. C.

DB 799/24 11-19-1925 all

MINISTRY OF JUSTICE

FORM NO.

259

This instrument, made this 17th day of November, A.D. 1925, between Julian E. Webster and his wife May E. Webster

of the County of Dade, in the State of Florida, part 100 of the first part, and William-Fitchell Company, a corporation existing under the laws of the State of Florida

of the County of Dade, in the State of Florida, part 100 of the second part (Witnesseth, That the said part 100 of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations

then in hand paid by the part 100 of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said part 100 of the second part, its heirs and assigns forever, the following

described land, situate lying and being in the County of Dade, State of Florida, to-wit: The South-East Quarter (100) of the South-East Quarter (100) of the South-East Quarter (100) of Section Fifteen (15) Township Fifty-seven (57) South, Range Thirty-eight (38) East, containing ten acres more or less. This land being subject to a mortgage mortgage October 19th 1923, signed by Julian E. Webster and his wife May E. Webster to Corrado Special Miller in the sum of \$11,200.00 payable one, two and three years from date, bearing interest at the rate of eight per cent per annum.

(0.50 I.R. STAMP CANCELLED)

and the said part 100 of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, The said part 100 of the first part, have hereunto set their hand and seal the day and year above written.

Signed, sealed and delivered in presence of us:

W. O. Hanson

Julian E. Webster

(Seal)

Alan E. Stafford

May E. Webster

(Seal)

State of Florida,

County of Dade

I George Corrado, That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Julian E. Webster and his wife May E. Webster

whom well known to be the persons described in and who executed the foregoing deed, and acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

And I further certify, That the said May E. Webster

known to me to be the wife of the said Julian E. Webster, in a separate and private examination taken and made by and before me, separately and apart from her husband, did acknowledge that she made herself a party to and deed for the purpose of remitting, relinquishing and conveying all her right, title and interest, whether dower, homestead or of separate property statutory or equitable, in and to the lands described therein, and that she executed the said deed freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her husband.

Witness my hand and official seal at Hesperia

County of

and State of Florida, this 17th day of November, A.D. 1925.

(U.P. SEAL)

W. O. Hanson

Notary Public, State of Florida

My Commission Expires June 13, 1929.

State of Florida, } ss.
County of Dade, }

Be It Remembered, That on the 19th day of November, 1925, the foregoing deed was filed for record and duly recorded in Deed Book 799, at page 809, at 12:38 o'clock, P. M.

In Witness Whereof, I have hereunto set my hand and official seal.

Geo. P. HOLLIS, Clerk Circuit Court

D. C.

Noted to 10, Dade County, Florida

DB 744/270
11-19-1925

RECORDS OF DEEDS, FLORIDA

PAGE 10

This instrument, made on the 19th day of October, A. D. 1925, between Gertrude Breslau Fuller, joined by her husband Albert M. Fuller

of the County of Duval, State of Florida, part 100 of the first part, and

Witnesses, in the State of Florida, part 100 of the first part, and

valuable considerations, to wit: the sum of Two Dollars and other

valuable considerations, to wit: the sum of Two Dollars and other

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(\$15.00 I.P. STAMPS CANCELLED)

the said part 100 of the first part do hereby fully warrant the title to said land, and will defend the same against the

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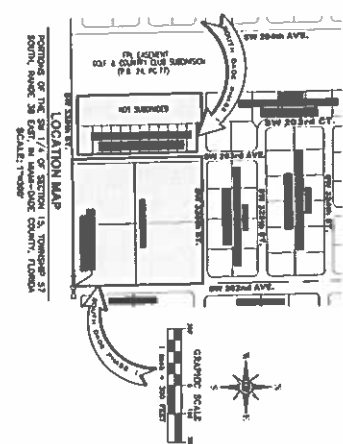
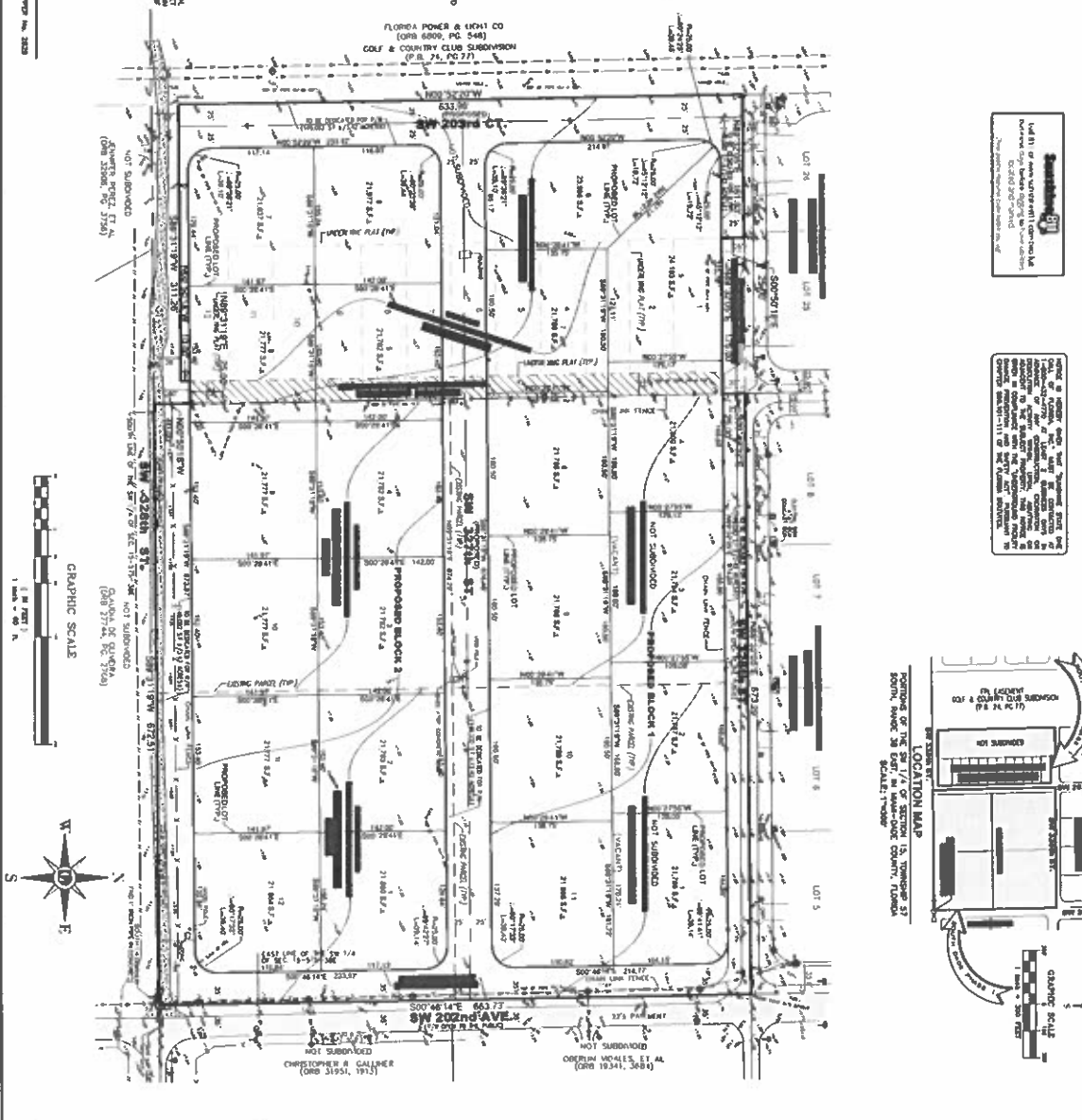
MDC024

EXHIBIT "C"

TENTATIVE PLAT / BOUNDARY AND TOPOGRAPHIC SURVEY COUNTRY CLUB DRIVE SUBDIVISION

A REPLAT OF BLOCK 7 AND A PORTION OF THE GOLF COURSE OF GOLF & COUNTRY CLUB
SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 77, OF
THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND PORTIONS OF THE SW 1/4 OF
SECTION 15, TOWNSHIP 37 SOUTH, RANGE 38 EAST,
MIAMI-DADE COUNTY, FLORIDA.

1. THE SURVEY WAS MADE BY THE SURVEYOR AND REPORT IS IN ACCORD WITH THE REQUIREMENTS OF THE LAND RECORDS ACT OF 1925, AS AMENDED, AND THE REQUIREMENTS OF THE FLORIDA STATUTES, CHAPTER 193, F.S., AS AMENDED.
2. THE SURVEY WAS MADE BY THE SURVEYOR AND REPORT IS IN ACCORD WITH THE REQUIREMENTS OF THE LAND RECORDS ACT OF 1925, AS AMENDED, AND THE REQUIREMENTS OF THE FLORIDA STATUTES, CHAPTER 193, F.S., AS AMENDED.
3. THE SURVEY WAS MADE BY THE SURVEYOR AND REPORT IS IN ACCORD WITH THE REQUIREMENTS OF THE LAND RECORDS ACT OF 1925, AS AMENDED, AND THE REQUIREMENTS OF THE FLORIDA STATUTES, CHAPTER 193, F.S., AS AMENDED.
4. THE SURVEY WAS MADE BY THE SURVEYOR AND REPORT IS IN ACCORD WITH THE REQUIREMENTS OF THE LAND RECORDS ACT OF 1925, AS AMENDED, AND THE REQUIREMENTS OF THE FLORIDA STATUTES, CHAPTER 193, F.S., AS AMENDED.
5. THE SURVEY WAS MADE BY THE SURVEYOR AND REPORT IS IN ACCORD WITH THE REQUIREMENTS OF THE LAND RECORDS ACT OF 1925, AS AMENDED, AND THE REQUIREMENTS OF THE FLORIDA STATUTES, CHAPTER 193, F.S., AS AMENDED.
6. THE SURVEY WAS MADE BY THE SURVEYOR AND REPORT IS IN ACCORD WITH THE REQUIREMENTS OF THE LAND RECORDS ACT OF 1925, AS AMENDED, AND THE REQUIREMENTS OF THE FLORIDA STATUTES, CHAPTER 193, F.S., AS AMENDED.
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MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 7, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(E)

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(E)
11-7-23

RESOLUTION NO. R-964-23

RESOLUTION GRANTING PETITION TO CLOSE SW 203 AVENUE FROM SW 326 STREET TO SW 328 STREET (VACATION OF RIGHT-OF-WAY PETITION NO. P-997) FILED BY LOCO CADO 2 LLC AND LOCO CADO 3 LLC, SUBJECT TO CERTAIN CONDITIONS

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

WHEREAS, Vacation of Right-of-Way Petition No. P-997 was signed by the owners of all of the properties abutting on the portion of right-of-way 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. The foregoing recitals are approved and incorporated by reference.

Section 2. Vacation of Right-of-Way Petition No. P-997 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 subject to the condition contained in section 3 below.

Section 3. All rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed, save and except that this closure is conditioned upon the recording of the plat of "COUNTRY CLUB DRIVE SUBDIVISION" (Tentative Plat T-24802). If the plat is not recorded within four years from the effective date of this resolution, then this resolution shall be null and void.

Section 4. It is found that the action will serve a public purpose and benefit the public without violating private property rights.

Section 5. The procedure utilized in the adoption of this resolution is expressly ratified and approved.

Section 6. Pursuant to Resolution No. 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.

Section 7. The County Mayor or County Mayor's designee is directed to forthwith file a Certificate with the Clerk subsequent to the recording of the plat confirming that the conditions set forth in section 3 have been met, to be permanently stored alongside this Resolution.

The foregoing resolution was offered by Commissioner **Raquel A. Regalado** , who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	absent		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	absent	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of November, 2023. 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "LEM", is written over a horizontal line.

Lauren E. Morse