

MEMORANDUM

Agenda Item No. 8(N)(1)

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

DATE: July 2, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution designating a portion of Miami-Dade County-owned property identified on the attached Exhibit A as road right-of-way for NW 87 Street from approximately 288 feet east of the centerline of NW 22 Avenue east for 49.4 feet in Section 10, Township 53 South, Range 41 East and directing the County Mayor to take all actions necessary to effectuate same

Resolution No. R-592-24

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



Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: July 2, 2024

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

From: Daniella Levine Cava 
Mayor

Subject: Resolution Designating a Portion of Miami-Dade County Owned Property Identified on the Attached Exhibit A as Public Road Right-of-Way
NW 87 Street from Approximately 288 Feet East of the Centerline of NW 22 Avenue East for 49.4 Feet

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant the attached resolution designating a portion of Miami-Dade County owned property, 49.4 feet in length, as public road right-of-way. The estimated annual maintenance costs associated with this item are \$10. The designation for public road right-of-way of the subject parcel of land is needed by the Miami-Dade County Department of Water and Sewer (WASD) to satisfy a zoning requirement for the approval of a building permit for the project site fronting on the subject portion of NW 87 Street. The aforementioned project is the construction of a new Submersible Sewage Pumping Station.

Recommendation

It is recommended that the Board grant the attached resolution designating a portion of Miami-Dade County owned property as public road right-of-way along the south side of NW 87 Street from approximately 288 feet east of the centerline of NW 22 Avenue east for 49.4 feet, in Section 10, Township 53 South, Range 41 East, as identified on Exhibit A attached to the Resolution. Location maps are attached to this memorandum as Exhibit 1.

Scope

This Right-of-Way Designation is located within District 2, which is represented by Commissioner Marleine Bastien.

Fiscal Impact/Funding Source

The total annual maintenance costs associated with this item are estimated to be \$10 and will be funded by the Department of Transportation and Public Works' (DTPW) General Fund allocation.

Track Record/Monitor

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 designation of the subject portion of County-owned land as public road right-of-way is needed by WASD in order to comply with a zoning requirement for the approval of a building permit for a pump

Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners
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station project that fronts on NW 87 Street east of NW 22 Avenue. Section 33-46 of the County Code requires that land within the official zoned right-of-way be dedicated to the County before a building permit may be issued and Section 33-133 stipulates the zoned right-of-way widths. Typical section line roads such as NW 87 Street have a minimum total zoned right-of-way width of 80 feet, which is generally interpreted as 40 feet on each side of the centerline. At the subject location, 25 feet of right-of-way width, as measured to the centerline of NW 87 Street, was dedicated to the public in 1925 by the plat of ETHELDALE, as recorded in Plat Book 21, at Page 1, of the Public Records of Miami-Dade County, Florida. Therefore, to complete the required 40 feet of right-of-way width as measured to the centerline of NW 87 Street, the 15-foot-wide strip of land along the frontage of the project site, as described in Exhibit A attached to the resolution, will be designated as public road right-of-way if this resolution is granted by the Board. The County user-department of the subject land, WASD, has provided a memorandum, attached to this memorandum as Exhibit 2, to indicate its director's concurrence with this action.

Attachments:

Exhibit 1 – Location Maps

Exhibit 2 – Memorandum from the Director of WASD

Exhibit A – Sketch & Legal Description

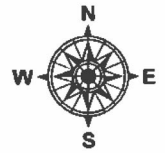
A handwritten signature in blue ink, appearing to be 'J. Morales', is located in the middle-left section of the page.

Jimmy Morales
Chief Operations Officer

RIGHT-OF-WAY DESIGNATION PARCEL

SECTION 10 TOWNSHIP 53 RANGE 41

EXHIBIT 1



THIS IS NOT A SURVEY

Legend



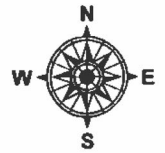
ROW DESIGNATION PARCEL

MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1610
Miami, Florida 33128
PH (305) 375-4654

Municipality: Unincorporated
Commission District 2
Marleine Bastien

Date: 9/7/2023
Drawn By: A.Santelices

RIGHT-OF-WAY DESIGNATION PARCEL
SECTION 10 TOWNSHIP 53 RANGE 41
EXHIBIT 1



THIS IS NOT A SURVEY

Legend



ROW DESIGNATION PARCEL

MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1610
Miami, Florida 33128
PH (305) 375-4654

Municipality: Unincorporated
Commission District 2
Marleine Bastien

Date: 9/7/2023
Drawn By: A.Santelices

MDC005

EXHIBIT 2

Memorandum



Date: 08/24/2023

To: Eulois Cleckley, Chief Executive Officer and Director
Department of Transportation and Public Works

From: Roy Coley, MBA, Director
Miami-Dade Water & Sewer Department

Subject: Designation of a Portion of County Owned Property Managed by the Water and Sewer Department located at 2150 NW 87 Street, Miami, FL (Folio # 30-3110-040-0060) as Public Right-of-Way

Miami-Dade County Water & Sewer Department (WASD) is in the process of constructing a new Submersible Sewage Pumping Station No. D2-C-2. As part of the approval process for the project, WASD is requesting the designation of a portion of 2150 NW 87 Street (the "Designation Area") to the Department of Transportation and Public Works for use as a public right-of-way. The Designation Area consists of 741 square feet of County-owned property managed by WASD, located on a portion of the County owned property under Folio No. 30-3110-040-0060. A sketch and legal description of the Designation Area is attached here as **Exhibit A**.

The scope of work for this project consists of furnishing all materials, labor, and equipment necessary to build the new Submersible Sewage Pumping Station located in Commission District 2. The work will include all aspects of preparation, installation, site restoration, start up and testing of the new proposed pump station, as well as coordination with FPL for connection of the new service to the proposed pump station. The new pump station will service the surrounding area and provide the residents with upgraded facilities.

Should you have any questions or need additional information, please do not hesitate to contact Juan Curiel, Assistant Director of Utility Construction, at 786-552-8399.



MEMORANDUM

(Revised)

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

DATE: July 2, 2024

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)
7-2-24

RESOLUTION NO. R-592-24

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY-OWNED PROPERTY IDENTIFIED ON THE ATTACHED EXHIBIT A AS ROAD RIGHT-OF-WAY FOR NW 87 STREET FROM APPROXIMATELY 288 FEET EAST OF THE CENTERLINE OF NW 22 AVENUE EAST FOR 49.4 FEET IN SECTION 10, TOWNSHIP 53 SOUTH, RANGE 41 EAST AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE 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 Directors of the Department of Transportation and Public Works and the Department of Water and Sewer have recommended that a portion of County-owned land along NW 87 Street from approximately 288 feet east of the centerline of NW 22 Court east for 49.4 feet, as identified on the attached Exhibit A, be designated as road right-of-way as required for the development of the adjacent County-owned land, and as incorporated herein by reference,

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. This Board hereby designates the County Property located along NW 87 Street from approximately 288 feet east of the centerline of NW 22 Avenue east for 49.4 feet, as identified on the attached Exhibit A, as road right-of-way, and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate same.

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

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	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 2nd day of July, 2024. 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: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse

EXHIBIT A

**SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
LOCATION MAP
MIAMI-DADE COUNTY
SEC.10-TWN.53S-RGE.41E**

**EXHIBIT 'A'
THIS DOCUMENT IS
NOT VALID WITHOUT
ALL SHEETS**



**EASEMENT
LOCATION**

SURVEYOR NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS "SKETCH & LEGAL DESCRIPTION" HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON.
4. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENT(S) OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.
5. BEARINGS ARE BASED ON AN ASSUMED MERIDIAN, WHERE THE CENTER LINE OF NW 87TH STREET BEARS N 87°42'21" E. ALL DISTANCES AS SHOWN ARE BASED ON THE US SURVEY FOOT.
6. SURVEY REFERENCES (ALL FROM MIAMI-DADE PUBLIC RECORDS):
 - a. PLAT BOOK 21, PAGE 1
 - b. PLAT BOOK 19, PAGE 59
 - c. PLAT BOOK 21, PAGE 7
 - d. SITE PLAN PREPARED BY MIAMI-DADE COUNTY (PCTS 15836).
7. SINCE NO OTHER INFORMATION WAS FURNISHED OTHER THAN WHAT IS CITED IN THE SOURCES OF DATA, THE CLIENT IS HEREBY ADVISED THAT THERE MAY BE LEGAL RESTRICTIONS ON THE SUBJECT PROPERTY THAT ARE NOT SHOWN ON THIS SKETCH OR CONTAINED WITHIN THIS REPORT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ABBREVIATIONS:

PB = PLAT BOOK
PG. = PAGE
SEC. = SECTION
R/W = RIGHT OF WAY
P = PROPERTY LINE
C = CENTER LINE

I HEREBY CERTIFY THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" WAS PERFORMED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEVE AND FURTHER, THAT SAID SKETCH MEETS THE INTENT OF THE APPLICABLE PROVISIONS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO RULE 5J-17, FLORIDA ADMINISTRATIVE CODE AND ITS IMPLEMENTING LAW, CHAPTER 472.027 OF THE FLORIDA STATUTES.

Jose R. Batista
JOSE R. BATISTA, P.S.M.
Professional Surveyor and Mapper
State of Florida - License No. 6777
3575 S. 1st Avenue Rd. Miami, FL
33146 WASH (786) 268-5106
Date: *8/24/2023*

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER

THIS IS NOT A BOUNDARY SURVEY

2150 NW 87TH STREET	
MIAMI, FL. 33146, MIAMI-DADE COUNTY, FLORIDA	
MIAMI-DADE WATER AND SEWER DEPARTMENT	
DATE: JULY 31, 2023	SCALE: N.T.S.
DRAWN BY: E.M.P.	S-494 1 of 3

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
MIAMI-DADE COUNTY
SEC.10-TWN.53S-RGE.41E

EXHIBIT 'A'
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LEGAL DESCRIPTION:

THE NORTH 15' OF LOT 12 BLOCK 1 OF "ETHELDALE", ACCORDING TO THE PLAT THEREOF AS
RECORDED IN THE PLAT BOOK 21 PAGE 1 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY,
FLORIDA.

CONTAINING 741.00 SQ.FT. OR 0.017 ACRES



JOSE R. BATISTA, P.S.M.
Professional Surveyor and Mapper
State of Florida - License No. 6777
3575 S. 1st Avenue Rd. Miami, FL
33146 WASH (786) 250-6196
Date: 08/24/2023

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER

THIS IS NOT A BOUNDARY SURVEY

2150 NW 87TH STREET
MIAMI, FL. 33146, MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE WATER AND SEWER DEPARTMENT

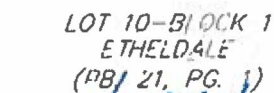
DATE: JULY 31, 2023

SCALE: N.T.S.

DRAWN BY: E.M.P.

S-494 2 of 3

EXHIBIT 'A'
THIS DOCUMENT IS
NOT VALID WITHOUT
ALL SHEETS



FOLIO No:
30-3110-040-0060
ETHELDALE
LOT 12
BLOCK 1
(PB. 21, PG. 1)

EVERGLADE AVENUE
HEIGHTS ADDITION
LOT 1
BLOCK 1
(PB 19, PG. 59)

587°42'21"W, 49.40'
LOT 11-BLOCK 1
ETHELDALE
(PB. 21, PG. 1)

LOT 12-BLOCK 1
EVERGLADE AVENUE
HEIGHTS ADDITION
(PB. 19, PG. 59)

2150 NW 87TH STREET
MIAMI, FL. 33146, MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE WATER AND SEWER DEPARTMENT

DATE: JULY 31, 2023

SCALE: 1"=20'

DRAWN BY: E.M.P.

S-494 3 of 3

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER