

MEMORANDUM

Agenda Item No. 8(N)(5)

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

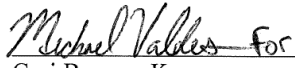
DATE: March 18, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving a
maintenance map for portions of
SW 117 Avenue from SR-5/US-1
to SW 184 Street, in Section 1
and 12, Township 56 South,
Range 39 East and in Section 6
and 7, Township 56 South,
Range 40 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 same

Resolution No. R-291-25

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



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: March 18, 2025

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

From: Daniella Levine Cava
Mayor 

Subject: Resolution Approving a Maintenance Map for Portions of SW 117 Avenue from SW 184 Street to State Road 5/US-1, in Miami-Dade County, Florida.

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to approve the attached resolution approving and accepting a maintenance map for portions of SW 117 Avenue from SW 184 Street to State Road 5/US-1 which provides prima facie evidence of the County's ownership of the road due to maintenance for over four years. Once the maintenance map is accepted by the Board, the instrument will be recorded in the Public Records of Miami-Dade County. The County is already maintaining this portion of the road; therefore, there are no additional maintenance costs associated with the maintenance map.

Recommendation

The Department of Transportation and Public Works (DTPW) recommends the filing and acceptance of the maintenance map. The proposed maintenance map is attached as Attachment 1 to this Memorandum.

Scope

The subject property is located within District 9, which is represented by Vice Chairman Kionne L. McGhee.

Fiscal Impact/ Funding Source

There is no fiscal impact associated with this resolution. Miami-Dade County has already been maintaining this portion of right-of-way as shown in Attachment 2 to this Memorandum.

Track Record/Monitor

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

Delegated Authority

The resolution delegates authority for the County Mayor or County Mayor's designee to record the maintenance map in the Public Records of Miami-Dade County, to provide a recorded copy of the instrument to the Clerk of the Board, and to take all actions to effectuate same.

Background

There are 13 undedicated parcels that have been historically part of SW 117 Avenue and lie along portions of SW 117 Avenue between SW 184 Street and State Road 5/US-1. These road segments

contain a fully improved road with an operational traffic lane, roadway features, and other utilities, which have been maintained for more than four years. The areas depicted by the maintenance map attached to this Memorandum as Attachment 1 are under the jurisdiction, operation, and maintenance of Miami-Dade County, and title has vested in Miami-Dade County pursuant to section 95.361(1), Florida Statutes, due to such maintenance. According to Section 95.361, 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. An affidavit from DTPW's Interim Chief of the Road, Bridge and Canal Maintenance Division certifying the County's maintenance of the area is attached as Attachment 2 of this Memorandum. After approval of the maintenance map by the Board, it will be certified by the Chairperson and the Clerk of the Board and recorded in the Public Records of Miami-Dade County.



Jimmy Morales
Chief Operating Officer



MEMORANDUM (Revised)

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

DATE: March 18, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(5)

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 ____, majority plus one ____, 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) ____, 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)(5)
3-18-25

RESOLUTION NO. R-291-25

RESOLUTION APPROVING A MAINTENANCE MAP FOR PORTIONS OF SW 117 AVENUE FROM SR-5/US-1 TO SW 184 STREET, IN SECTION 1 AND 12, TOWNSHIP 56 SOUTH, RANGE 39 EAST AND IN SECTION 6 AND 7, TOWNSHIP 56 SOUTH, RANGE 40 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 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, Section 95.361(1) Florida Statutes, provides that a County road which has been maintained for four years by the County vests all rights and title in and to the road in the County; and

WHEREAS, Section 95.361(3) provides that the filing of a maintenance map pursuant to such section constitutes prima facie evidence of ownership of such land by the County; and

WHEREAS, the Director of the Department of Transportation and Public Works has recommended that an official maintenance map be filed of record with respect to portions of a roadway which have been maintained for over four years by the County, 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 adopts and incorporates the foregoing recitals.

Section 2. This Board approves the maintenance map for the portions of SW 117 Avenue between SR-5/US-1 to SW 184 Avenue, in Section 1 and 12, Township 56 South, Range 39 East and Section 6 and 7, Township 56 South, Range 40 East, Miami-Dade County, Florida, attached as Attachment 1 to the Mayor's memorandum, and incorporated herein. This Board authorizes the Chairperson and the Clerk of the Board to certify the same pursuant to section 95.361, Florida Statutes, and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate the same.

Section 3. Pursuant to Resolution No. R-974-09, this Board (d) directs the County Mayor or County Mayor's designee to record the maintenance map in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of such instrument to the Clerk of the Board within 30 days of the execution of such instruments; and (b) the Clerk of the Board shall attach and permanently store a recorded copy of such instrument together with this resolution.

The foregoing resolution was offered by Commissioner **Roberto J. Gonzalez** , 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:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of March, 2025. 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

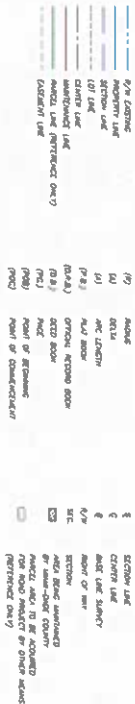
By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse

MAINTENANCE MAP

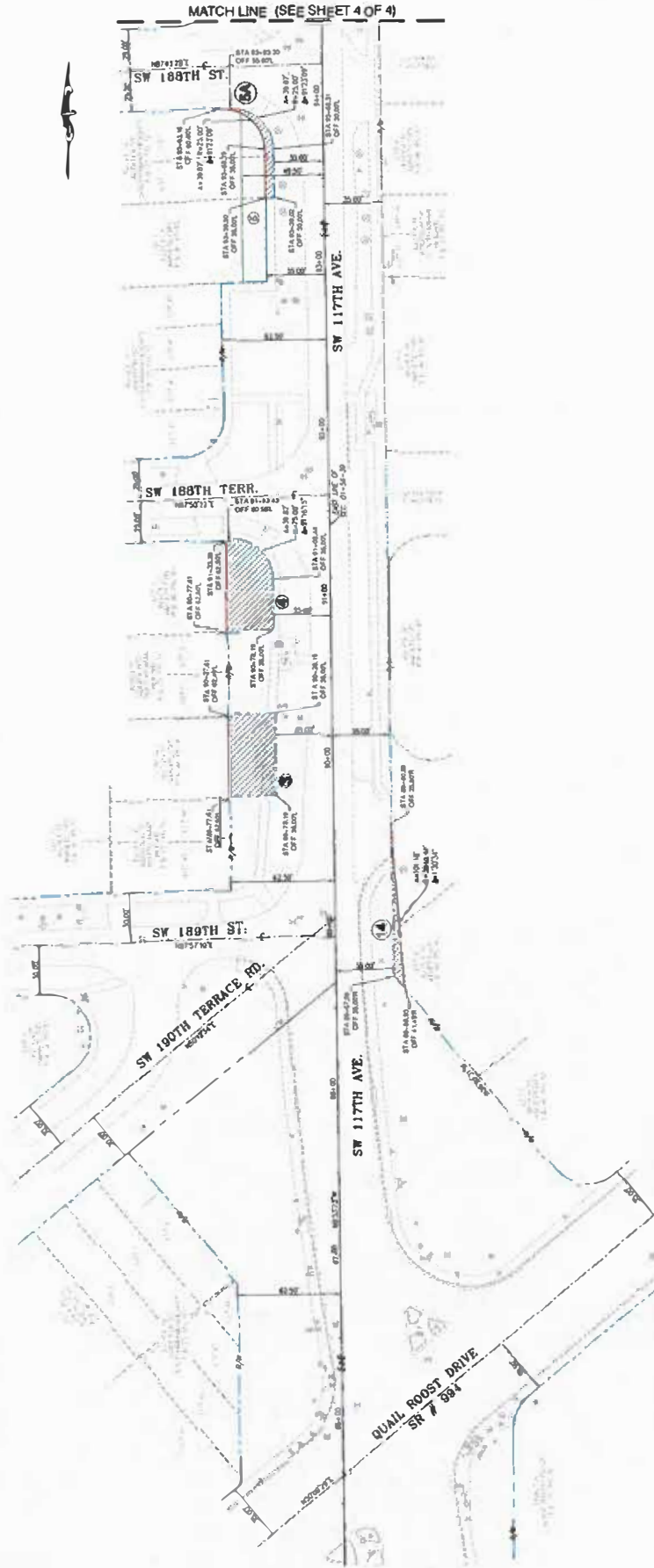
KEY MAP
SCALE: 1" = 300'



†: 1001-1200/5937w).

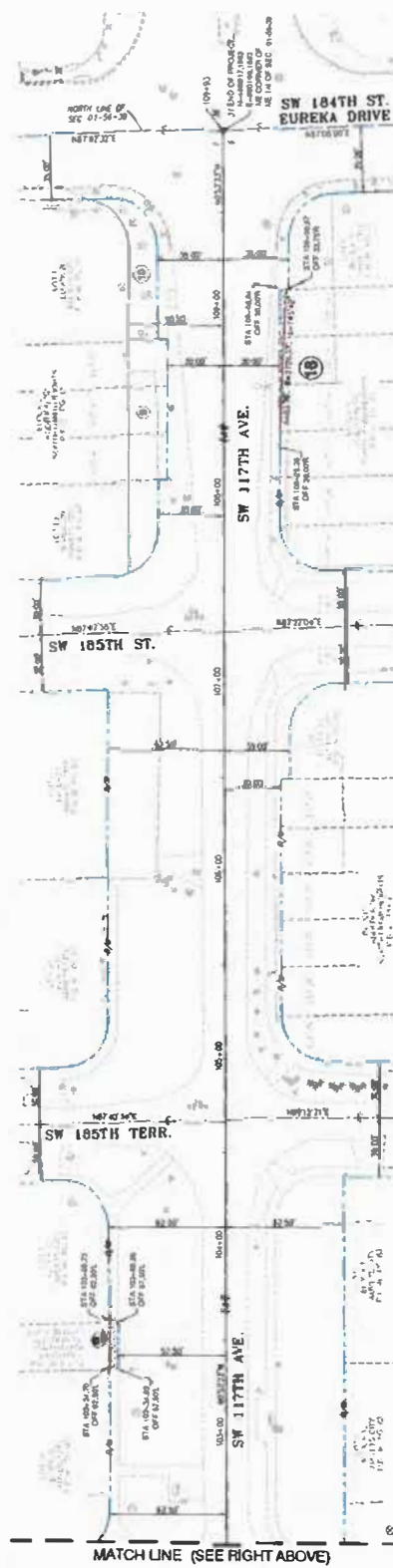
Long Handed for Hand-Dog Clarity Report - see Doc Section Report - see Design	FIELD BOOK NO. 7930
	SOUND Y = 20'
POLYESTER 2000000000	1-9-87

ATTACHMENT 1 MAINTENANCE MAP S.W. 117TH AVENUE FROM S.R. # 5 (U.S.-1) TO S.W. 184th STREET



MAINTENANCE MAP	MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS RIGHT-OF-WAY DIVISION ENGINEERING SECTION	MIAMI-DADE	SW - 117th Avenue				from S.R. # 5 (U.S.-1) to S.W. 184th St				REVISION NO. 1			
			DATE: 10/1/2010				DATE: 10/1/2010				DATE: 10/1/2010			

FROM S.R. # 5 (U.S.-1) TO S.W. 184th STREET

[illegible]

ATTACHMENT 2

AFFIDAVIT

THIS IS TO CERTIFY THAT I, Isaac Wynn, Interim 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 portions of SW 117 Avenue between SW 184 St and US-1 in Sections 1 and 12, Township 56 South, Range 39 East, and Sections 6 and 7, Township 56 South, Range 40 East Miami-Dade County, Florida, the pavement, signing, drainage, swale, and trees of the road thereof, in Miami-Dade County, Florida, for at least four (4) years.



Isaac Wynn, Interim 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 3rd day of June, A.D. 2024, before me, an officer duly authorized to administer oaths and take acknowledgments personally appeared by means of [] physical or ☒ online notarization Isaac Wynn, personally known to me, or proven, by producing the following identification: _____, 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.



ARMANDO A. SANTELICES
Commission # HH 405340
Expires June 1, 2027



Notary Signature

ARMANDO A. SANTELICES

Printed Name

Notary Public, State of FLORIDA

My Commission expires: JUNE 1, 2027

Commission No.: HH 405340

SEAL / NOTARY SEAL / STAMP