

MEMORANDUM

Agenda Item No. 5(C)

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

DATE: April 1, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution granting petition to
close a portion of the Golden
Glades Extension from NW 117
Avenue West for approximately
1,280 feet (Vacation of Right-of-
Way Petition No. P-1025) filed
by Green Garden Nurseries, LLC

Resolution No. R-336-25

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



Geri Bonzon-Keenan
County Attorney

GBK/jp

MDC001

Memorandum



Date: April 1, 2025

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

From: Daniella Levine Cava 
Mayor

Subject: Vacation of Right-of-Way Petition P-1025
Section: 13-52-39
A Portion of the Golden Glades Extension from NW 117 Avenue West for Approximately
1,280 feet
Commission District: 12

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant a petition filed by Green Garden Nurseries, LLC to vacate the subject portion of County right-of-way. If this petition is granted, the underlying lands will become incorporated into the abutting property. The \$140,012.25 fee for this vacation of right-of-way petition has been paid.

Recommendation

It is recommended that the Board grant vacation of right-of-way petition P-1025, attached to this Memorandum as Exhibit 2, following a public hearing. The Miami-Dade County (County) Departments of Regulatory and Economic Resources, Transportation and Public Works (DTPW), Water and Sewer (WASD), Solid Waste Management, Aviation, 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 land has never been improved nor maintained by the County. Location maps are attached as Exhibit 1.

Scope

The subject portion of right-of-way is located within District 12, which is represented by Commissioner Juan Carlos Bermudez.

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 \$10.79 per square foot. Therefore, the estimated value of the subject land is approximately \$1,380,523. If the subject right-of-way is closed and vacated, the land will be placed on the tax roll, generating an estimated \$23,400 per year in additional property taxes. The fee for this vacation of right-of-way petition is \$140,012.25.

Track Record/Monitor

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

Delegated Authority

There is no delegation of authority associated with this item.

Attachments: Exhibit 1 – Location & Aerial Maps, Exhibit 2 – Vacation of Right-of-Way Petition P-1025, Exhibit A – Survey

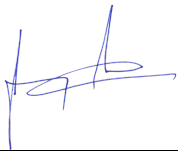
Background

The owners of the properties that abut on the subject right-of-way have petitioned the County to vacate the southern half of the Golden Glades Extension from NW 117 Avenue west for approximately 1,280 feet so that the underlying land reverts to private property. By a separate process, the petitioner is also attempting to acquire the northern half of the theoretical Golden Glades Extension at this location (the northern half was not dedicated to the County for right-of-way and therefore is not a part of this petition). If the abutting property owner is able to acquire that northern portion of land, and the subject vacation of right-of-way petition for the southern portion is also granted, he will then be able to unite his properties lying to the north and south of the subject right-of-way into one contiguous tract of land. This action will facilitate the possible future development of the site.

The subject portion of land was dedicated to the County in 1939 for use as a public highway and all purposes incidental thereto by the Right-of-Way Deed recorded in Deed Book 1969, at Page 489, of the Public Records of Miami-Dade County, Florida. Since the right-of-way was dedicated from the abutting tract lying to the south, the entirety of this portion of land will revert to that abutting property to the south if this petition is granted.

The subject portion of right-of-way has never been improved nor maintained by the County and is covered with areas of trees, brush, gravel, and bare dirt. The survey, attached as Exhibit A, indicates that a storage container and the northern edge of a greenhouse encroach upon the subject right-of-way.

The abutting properties are zoned AU (Agricultural/Residential).



Jimmy Morales
Chief Operating Officer

Location & Aerial Map
SECTION 13 TOWNSHIP 52 RANGE 39

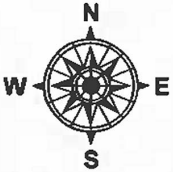


EXHIBIT 1



THIS IS NOT A SURVEY
NOT TO SCALE

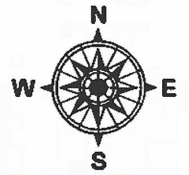
Legend 
P-1025 Road Closing

P-1025
MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, 1610
Miami, Florida 33128
PH (305) 375-2714

Municipality: Unincorporated
Commission District 12
Juan Carlos Bermudez

Date: 7-2-2024
Drawn By: A.Santelices

Location & Aerial Map
SECTION 13 TOWNSHIP 52 RANGE 39
EXHIBIT 1



THIS IS NOT A SURVEY
NOT TO SCALE

Legend 
P-1025 Road Closing

P-1025
MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, 1610
Miami, Florida 33128
PH (305) 375-2714

Municipality: Unincorporated
Commission District 12
Juan Carlos Bermudez

Date: 7-2-2024
Drawn By: A.Santelices

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 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 road, right-of-way sought to be closed is as follows:

The North 100 feet of Tract 5, in Section 13, Township 52 South, Range 39 East of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, Less that portion lying East of a line 40 feet West of the East line of the N.E 1/4 of said Section 13.

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

The subject portion of land was dedicated to the County for highway purposes by the Right-of-Way Deed recorded in Deed Book 1969, at Page 489, 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.

See attached **Exhibit "A"**.

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.

PRINTNAME

FOLIO NO.

ADDRESS

"(The abutting Property owner to the north (the "North Property ") is currently Miami-Dade County. However, this Petition to Close Road is subject to the effectiveness of a private sale of the North Property to Vecellio & Grogan, Inc. pursuant to Florida Statutes 125.35(2) which shall occur contemporaneously with this Petition."

Vecellio & Grogan, Inc. 30-2913-001-0040

800 SE Monterey Common Blvd.
Suite 200, Stuart, FL 34996

Green Garden Nurseries, LLC 30-2913-001-0050

800 SE Monterey Common Blvd.
Suite 200, Stuart, FL 34996

Maria Morales & Vivian Morales 30-2913-001-0120

16551 NW 122 Avenue
Hialeah Gardens, FL 33018

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 current dedicated right of way for Golden Glades Extension has no improvements lying between NW 117th Avenue and NW 119th Avenue theoretical.

The applicant's proposal for vacating Golden Glades Extension between NW 117th Avenue and NW 119th Avenue theoretical, is to construct and use it as a truck parking and storage area that complies with the County requirements.

The applicant owns the property North and South of the subject Golden Glades Extension.

The removal will not interfere with the owners or the adjacent property.

The closure of the road Right of Way will benefit the County by:

Providing a facility that will be compliance with County requirements.

Removing County responsibility for care and maintenance of the unimproved, unnecessary road.

Returning the responsibility from the vacated area to the owner for owner responsibility.

Transferring the County tax rolls to the vacated property.

7. Signatures of all abutting property owners:

Respectfully submitted,

SIGNATURE

ADDRESS

Vecellio & Grogan, Inc.

By: MICHAEL SULLIVAN, VP OF
FINANCE



450 Royal Palm Way, 2nd Floor
Palm Beach, FL 33480
Ph. 561-891-9738

Green Garden Nurseries, LLC

By: MICHAEL SULLIVAN,
MANAGER



450 Royal Palm Way, 2nd Floor
Palm Beach, FL 33480
Ph. 561-891-9738

Maria Morales

[ATTACHED]

16551 NW 122nd Avenue
Hialeah Gardens, FL 33018

Vivian Morales

[ATTACHED]

16551 NW 122nd Avenue
Hialeah Gardens, FL 33018

[Signature page to follow]

Maria Morales

Maria Morales

Vivian Morales

16551 NW 122nd Avenue

Hialeah Gardens, FL 33018

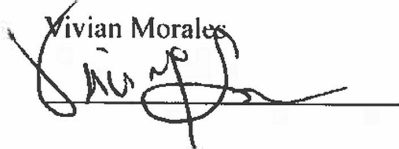
16551 NW 122nd Avenue

Hialeah Gardens, FL 33018

Maria Morales

16551 NW 122nd Avenue

Hialeah Gardens, FL 33018


Vivian Morales

16551 NW 122nd Avenue

Hialeah Gardens, FL 33018

Attorney for Petitioner

Hugo Benitez, Esq.

Address:

c/o: Gunster

Brickell World Plaza

600 Brickell Avenue, Suite 3500

Miami, FL 33131

STATE OF FLORIDA

)

) SS

MIAMI-DADE COUNTY

)

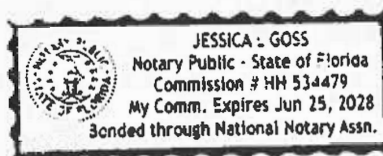
BEFORE ME, the undersigned authority, personally appeared by means of ☒ physical or ☐ online notarization Michael Sullivan, who first by me duly sworn, deposes and says that he/she is one of the petitioners named in and who signed the foregoing petition; that he/she is duly authorized to make this verification for and on behalf of all petitioners; that he/she has read the foregoing petition and that the statements therein contained are true.

M. B. Benitez

(Signature of Petitioner)

Sworn and subscribed to before me this

8th day of July, 2024
Jessica L. Goss
Notary Public State of Florida at Large



My Commission Expires: 06/25/2028

EXHIBIT A

SURVEY

EXHIBIT "A"

LEGAL DESCRIPTION:

A portion of GOLDEN GLADES EXTENSION (South portion) - Section 13 - 52 - 39

The North 100 feet of Tract 5, in Section 13, Township 52 South, Range 39 East of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, Less that portion lying East of a line 40 feet West of the East line of the Northeast 1/4 of said Section 13.

SURVEYOR'S NOTES:

- This site lies in Section 13, Township 52 South, Range 39 East, Miami-Dade County, Florida.
- All documents are recorded in the Public Records of Miami-Dade County, Florida unless otherwise noted.
- Lands shown hereon were NOT abstracted for restrictions, easements and/or rights-of-way of records.
- Bearings hereon are referred to an assumed value of N 89°45'35" E for the North right-of-way line of Golden Glades Extension in Section 13-52-39.
- All dimensions hereon are to the fractional lines and subject to the following conditions unless otherwise noted: dedication of 15 feet is not as shown on plat of Florida Fruit Lands Company's Subdivision No. 1 (Plat Book 2 Page 17) but as inferred in accordance with County Commission Minutes Book E, at Page 198 dated August 2, 1911 and accepted as a dedication by Resolution No. 4406 dated January 12, 1960 as recorded in O.R.B. 1884 Page 501 of the Public Records of Miami-Dade County, Florida.
- This is not a "Boundary Survey" but only a special purpose survey to reflect the graphic depiction of the legal description on the topographic improvements as shown hereon.
- Dimensions indicated hereon are field measured by electronic measurement, unless otherwise noted.
- Lands shown hereon containing 127,948 square feet, or 2.937 acres, more or less.
- This map is intended to be displayed at the graphic scale shown hereon or smaller.
- There was no attempt to determine visible underground improvements and/or underground encroachments.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Special Purpose Survey" was made under my responsible charge on March 25, 2024, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below"

FORTIN, LEAVY, SKILES, INC., LB3653

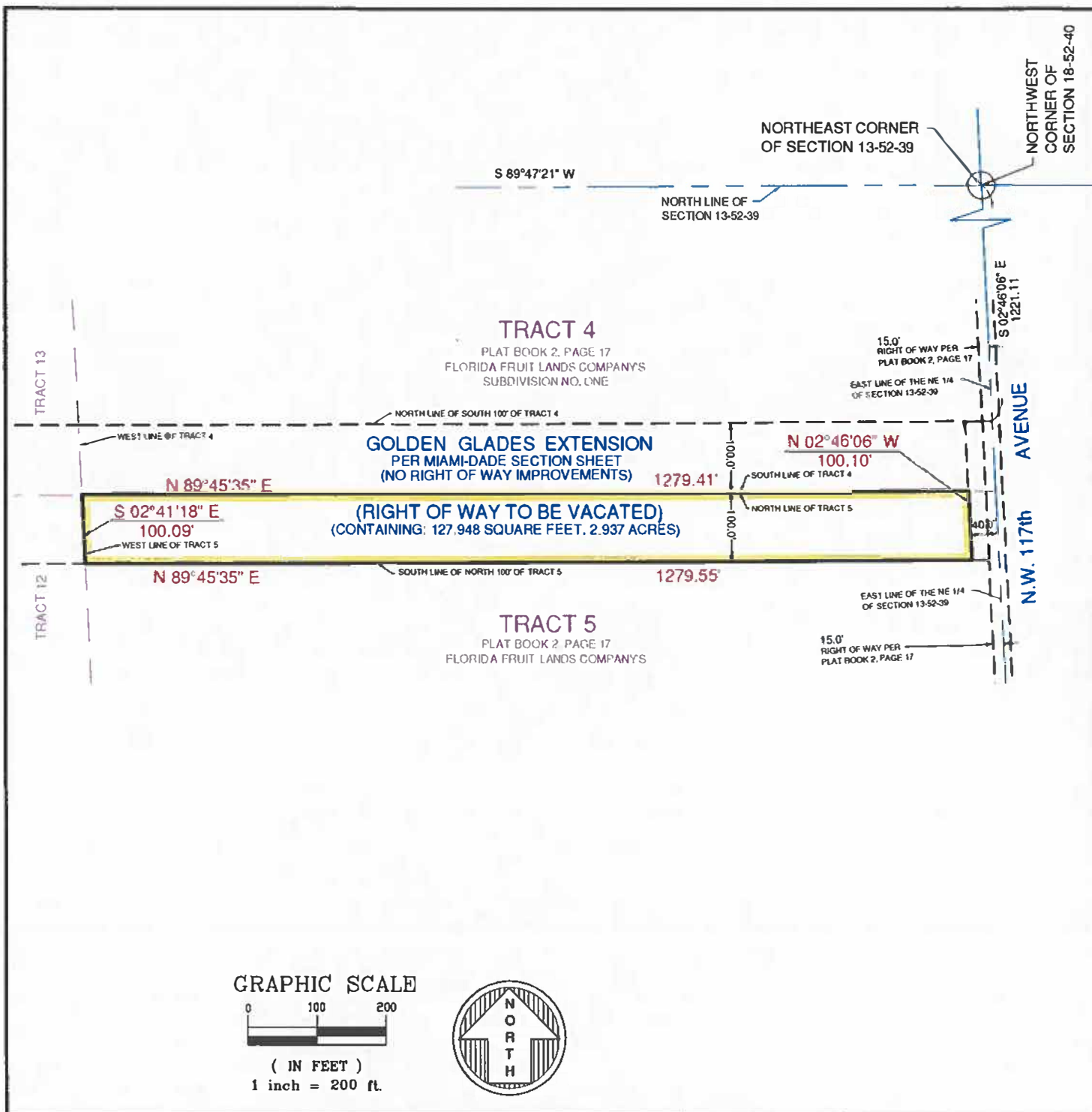
By: _____
Daniel C. Fortin Jr, For The Firm
Professional Surveyor and Mapper, LS6435
State of Florida.

Drawn By	DWF
Cad. No.	230532
Ref. Dwg.	2024-025
Rev.:	
Plotted:	8/5/24 8:50a

LEGAL, SURVEYOR'S NOTES & CERTIFICATION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Date	3/25/24
Scale	N/A
Job. No.	240254
Dwg. No.	1024-018-S
Sheet	1 of 4



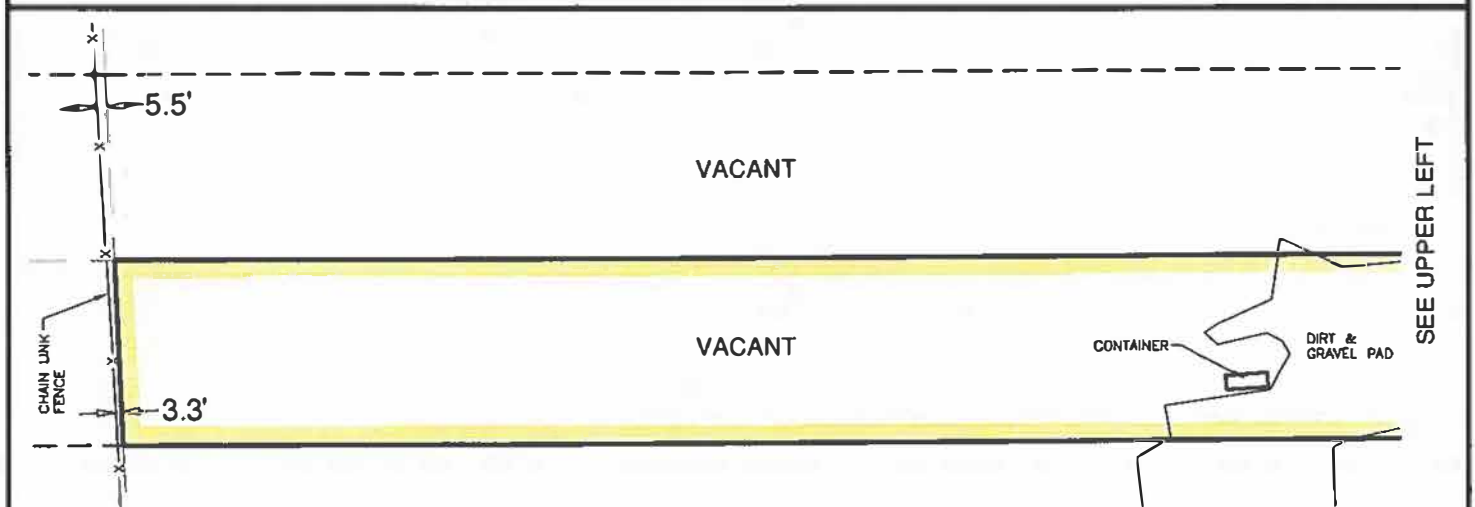
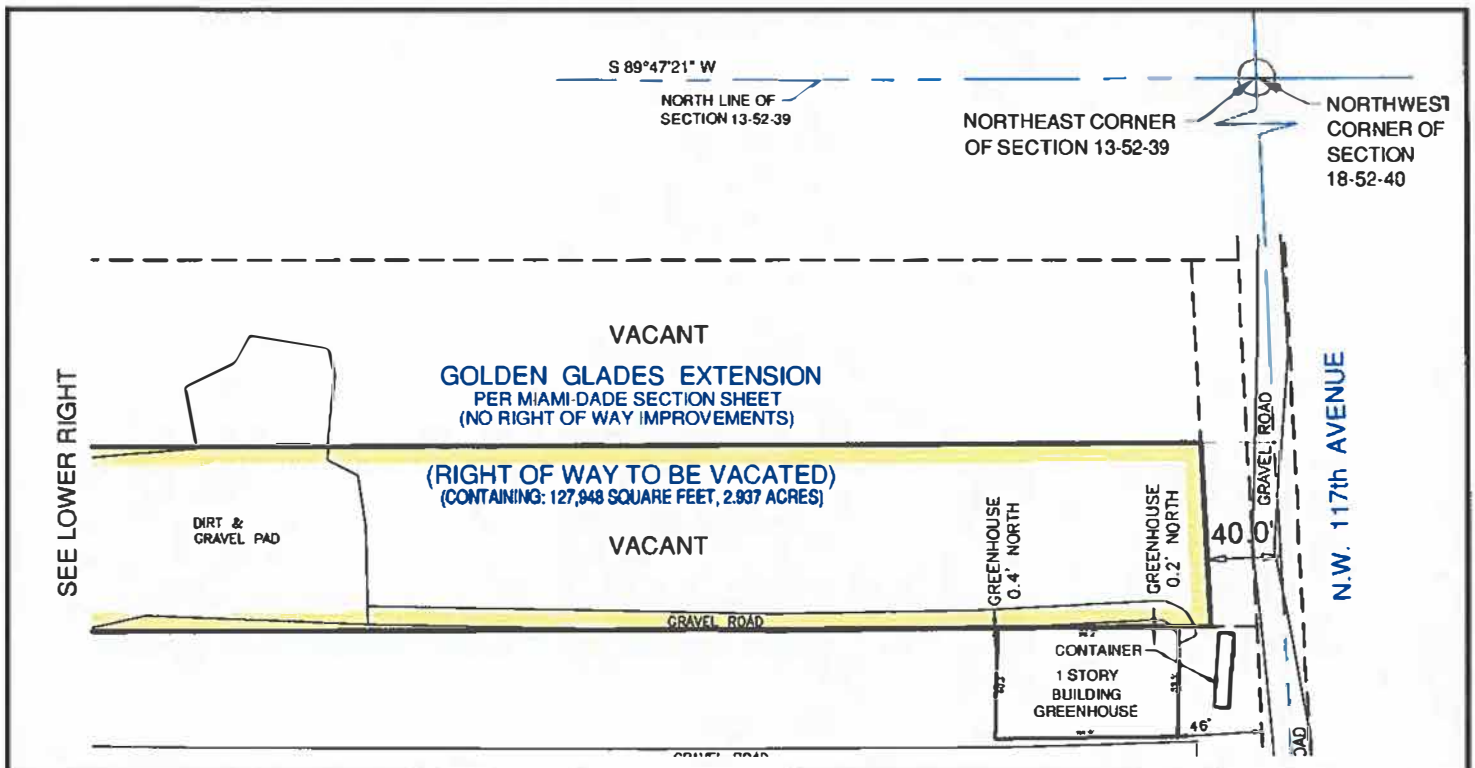
Drawn By	DWF
Cad. No.	230532
Ref. Dwg.	2024-025
Rev.:	
Plotted:	8/5/24 8:50a

SKETCH OF DESCRIPTION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Date	3/25/24
Scale	1"=200'
Job. No.	240254
Dwg. No.	1024-018-S
Sheet	2 of 4

MDC014



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



Drawn By	DWF
Cad. No.	230532
Ref. Dwg.	2024-025
Rev.:	
Plotted:	8/5/24 8:50a

TOPOGRAPHIC SURVEY	
FORTIN, LEAVY, SKILES, INC.	
CONSULTING ENGINEERS, SURVEYORS & MAPPERS	
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653	
180 Northeast 168th Street / North Miami Beach, Florida 33162	
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com	

Date	3/25/24
Scale	1"=100'
Job. No.	240254
Dwg. No.	1024-018-S
Sheet	3 of 4

MDC015



LEGEND

= CATCH BASIN	= 0.5' CURB
= MANHOLE	= 2.00' CURB & GUTTER
= LIGHT POLE	= CHAIN LINK FENCE
= WATER METER	= GRADE ELEVATION
= WATER VALVE	EL. = ELEVATION
= CATCH BASIN INLET	INV. = INVERT
= UTILITY POLE	SAN. = SANITARY
= RISER	P.R.M. = PERMANENT REFERENCE MONUMENT
= FIRE HYDRANT	O.R.B. = OFFICIAL RECORDS BOOK
= HANDHOLE	= CONCRETE
= SIGN	= ASPHALT PAVEMENT

Drawn By	DWF
Cad. No.	230532
Ref. Dwg.	2024-025
Rev.:	
Plotted:	8/5/24 8:50a

LEGEND SHEET

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Date	3/25/24
Scale	N/A
Job. No.	240254
Dwg. No.	1024-018-S
Sheet	4 of 4



MEMORANDUM (Revised)

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

DATE: April 1, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(C)

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. 5(C)
4-1-25

RESOLUTION NO. R-336-25

RESOLUTION GRANTING PETITION TO CLOSE A PORTION
OF THE GOLDEN GLADES EXTENSION FROM NW 117
AVENUE WEST FOR APPROXIMATELY 1,280 FEET
(VACATION OF RIGHT-OF-WAY PETITION NO. P-1025)
FILED BY GREEN GARDEN NURSERIES, LLC

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-1025 was signed by the owners of all 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-1025 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.

Section 3. All rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed.

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.

The foregoing resolution was offered by Commissioner **Eileen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** 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	aye	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 1st day of April, 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.

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

Lauren E. Morse