

MEMORANDUM

Agenda Item No. 8(N)(2)

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

DATE: June 26, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution accepting a
conveyance of a property interest
for road purposes to Miami-Dade
County, Florida; and authorizing
the County Mayor to execute the
acceptance of the instrument of
conveyance and to take all
actions to effectuate same

Resolution No. R-608-25

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



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: June 26, 2025

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

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Resolution Accepting One Conveyance of Property Interests for Road Purposes to
Miami-Dade County, Florida

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to accept the subject property conveyance. Once this conveyance is accepted by the Board, the instrument will be recorded in the Public Records of Miami-Dade County. The grantor's name, property location, and reason for conveyance to the County are listed below. Annual maintenance costs associated with the subject conveyance are estimated to be \$30.

Recommendation

The Department of Transportation and Public Works (DTPW) needs the property interest from this entity for road purposes and recommends that the Board accept the conveyance. The proposed conveyance is attached hereto as Exhibit 1 and is further described below.

Scope

The property being conveyed is located within District 8, which is represented by Commissioner Danielle Cohen Higgins.

Fiscal Impact/Funding Source

The total fiscal impact of accepting this conveyance is estimated to be \$30 annually for maintenance costs associated with the subject right-of-way being included in the DTPW inventory. These costs will be funded through DTPW's General Fund allocation.

Track Record/Monitor

DTPW is the entity overseeing this project and the person responsible for monitoring this acquisition 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 execute the acceptance of the instrument of conveyance. Furthermore, the County Mayor or County Mayor's designee shall record the instrument of conveyance accepted therein in the Public Records of Miami-Dade County.

Background

This conveyance is being obtained to fulfill zoning and land development requirements to effectuate improvements needed within the public right-of-way to meet Miami-Dade County roadway standards.

<u>GRANTOR</u>	<u>INSTRUMENT</u>	<u>LOCATION</u>	<u>REMARKS</u>
1. Esmirna BIC, Inc.	RWD*	A portion of SW 134 Avenue from approximately 136 feet south of the centerline of SW 184 Terrace south for 156 feet (Commissioner Danielle Cohen Higgins, District 8)	This right-of-way is needed in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way. (File 20250011)



Jimmy Morales
Chief Operating Officer

Return to:

Miami-Dade County Department of
Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1620
Miami, FL 33128-1970

Instrument prepared by:

Jeffrey Whitmore, P.S.M.
Folio No. 30-6902-001-0221
User Department: DTPW

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES
BY CORPORATION**

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 5th day of February, A.D. 2025, by and between ESMIRNA BIC, INC., a not-for-profit corporation under the laws of the State of Florida, and having its office and principal place of business at 18450 SW 134 Avenue, Miami, FL 33177, party of the first part, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, and its successors in interest, whose Post Office address is 111 NW 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

The East 10 feet of the North 1/2 of the East 1/2 of Tract 3, in the NW 1/4 of Section 2, Township 56 South, Range 39 East, of TROPICO, according to the plat thereof as recorded in Plat Book 2, at Page 57, of the Public Records of Miami-Dade County, Florida.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, Sealed, Attested and
delivered in our presence:
(2 witnesses for each signature
or for all).

ESMIRNA BIC, INC.
Name of Corporation

Witness
Mary Cruz 3850 Bird Rd
Printed Name & Address #1002
Miami, FL 33146

(Sign)
By: [Signature] President

Witness
Aida Gomez 3850 Bird Rd
Printed Name & Address #1002
Miami, FL 33146

Jose F. Rodriguez
Printed Name
18450 SW 134th Ave
Miami, FL 33177
Address if different

Witness
Mary Cruz 3850 Bird Rd
Printed Name & Address #1002
Miami, FL 33146

(Sign)
Attest: [Signature] Secretary

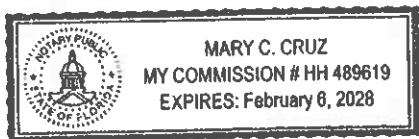
Witness
Aida Gomez 3850 Bird Rd
Printed Name & Address #1002
Miami, FL 33146

Tany Gutierrez
Printed Name
1135 SW 137th Pl.
Miami, FL 33184
Address if different

STATE OF Florida)
) SS
COUNTY OF Miami-Dade

I HEREBY CERTIFY, that on this 5th day of February, A.D. 2025 before me, an officer duly authorized to administer oaths and take acknowledgments personally appeared by means of ☒ physical or ☐ online notarization Jose F. Rodriguez and Jany Gutierrez, personally known to me, or proven, by producing the following identification: personally known to be the _____ President and _____ Secretary of ESMIRNA BIC, INC., a not-for-profit corporation under the laws of the State of Florida, and in whose name the foregoing instrument is executed and that said officer(s) severally acknowledged before me that they executed said instrument acting under the authority duly vested by said corporation.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.



NOTARY SEAL/STAMP

[Signature]
Notary Signature

Mary Cruz
Printed Notary Name

Notary Public, State of Florida

My commission expires: 2/6/2028

Commission/Serial No. HH489619

The foregoing was accepted and approved on the _____ day of _____, A.D. 2025, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

By: _____
County Mayor or Designee

ATTEST: **JUAN FERNANDEZ-BARQUIN**
Clerk of the Court and Comptroller

Approved as to form
and legal sufficiency

Attested by: _____
Deputy Clerk

Assistant County Attorney

Date



THIS IS NOT A SURVEY

NOT TO SCALE

Folio: 30-6902-001-0221

Name: ESMIRNA BIC, INC.

Section: 02-56-39

Municipality: Unincorporated

Commission District 8

Danielle Cohen Higgins

Date: 2-1-2025

Drawn By: A.Santelices

 TO BE DEDICATED FOR ROAD RIGHT-OF-WAY

MDC007



MEMORANDUM

(Revised)

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

DATE: June 26, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(2)

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)(2)
6-26-25

RESOLUTION NO. R-608-25

RESOLUTION ACCEPTING A CONVEYANCE OF A PROPERTY INTEREST FOR ROAD PURPOSES TO MIAMI-DADE COUNTY, FLORIDA; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE ACCEPTANCE OF THE INSTRUMENT OF CONVEYANCE AND TO TAKE ALL ACTIONS 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 property owner/grantor, Esmirna BIC, Inc., has tendered an instrument conveying to Miami-Dade County the property interests in a parcel of land located within Miami-Dade County, Florida, for public purposes identified in the County Mayor's memorandum and the instrument of conveyance, which is attached as Exhibit 1 to the County Mayor's memorandum and made a part thereof; and

WHEREAS, upon consideration of the recommendation of the Department of Transportation and Public Works, this Board finds and determines that the acceptance of such conveyance would be in the public's best interest,

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

Section 1. This Board incorporates and approves the foregoing recitals and County Mayor's memorandum as if fully set forth herein.

Section 2. The conveyance by the above-described property owner/grantor is hereby approved and accepted; provided, however, that it is specifically understood that Miami-Dade County is not obligated to construct any improvements within the above-described property tendered for road right-of-way or other purposes.

Section 3. The County Mayor or County Mayor's designee is authorized to execute the acceptance of the instrument of conveyance and to take all actions to effectuate same.

Section 4. Pursuant to Resolution No. R-974-09, (a) the County Mayor or County Mayor's designee shall record the instrument of conveyance accepted herein in the public records of Miami-Dade County and shall provide a recorded copy of this instrument to the Clerk of the Board within 30 days of execution of said instrument; and (b) the Clerk of the Board shall attach and permanently store a recorded copy of said instrument together with this resolution.

The foregoing resolution was offered by Commissioner **Kionne L. McGhee**, who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** 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
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 26th day of June, 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.

YEM

Debra Herman
Yuval E. Manor