

MEMORANDUM

Agenda Item No. 5(M)

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

DATE: October 9, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution granting petition to
close theoretical NW 102 Street
from NW 21 Court east for
approximately 143 feet (Vacation
of Right-of-Way Petition No. P-
1032) filed by GM Investment
LLC and waiving the signature
requirements of Resolution No.
7606 as to adjacent property
owners

Resolution No. R-926-25

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



Geri Bonzon-Keenan
County Attorney

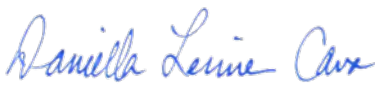
GBK/uw

Memorandum



Date: October 9, 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-1032
Section: 3-53-41
Theoretical NW 102 Street from NW 21 Court East for Approximately 143 Feet
Commission District: 2

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant a petition filed by GM Investment LLC to vacate the subject County right-of-way. If this petition is granted, the underlying land will become incorporated into the abutting properties lying north and south of the subject right-of-way. The \$19,082.38 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 No. P-1032, 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), and Fire Rescue have no objection to this 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 right-of-way is located within District 2, which is represented by Commissioner Marleine Bastien.

Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the properties adjacent to the subject right-of-way at an average rate of \$28.02 per square foot. Therefore, the estimated value of the subject land is approximately \$171,224. If the subject right-of-way is closed and vacated, the southern portion of the land will be placed on the tax roll, generating an estimated \$1,094 per year in additional property taxes. The property abutting the subject right-of-way on the north is tax-exempt. Therefore, the reversion of the northern portion of the subject land to the tax-exempt property will not result in an increase in revenue from property taxes. The fee for this vacation of right-of-way petition is \$19,082.38.

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.

Attachments: Exhibit 1 – Location & Aerial Maps, Exhibit 2 – Vacation of Right-of-Way Petition P-1032, Exhibit A – Sketch & Legal Description, Exhibit B – Certified Mail Delivery Receipt

Delegated Authority

There is no delegation of authority associated with this item.

Background

The owners of the two abutting properties to which the title to the subject land will revert if this request is granted have signed a petition for the County to vacate theoretical NW 102 Street from NW 21 Court east for approximately 143 feet so that the underlying land becomes incorporated into their private properties for their personal use and enjoyment. The subject right-of-way has never been improved nor maintained by the County and consists of undeveloped land covered with vegetation. It forms a dead-end on the east and therefore provides no useful current or future street connection for the general public. The Sketch and Legal Description, attached as Exhibit A to the petition, indicates that a metal fence encroaches upon the northern portion of the subject right-of-way.

The owner of the property that abuts the subject right-of-way on its east end did not sign this petition. However, that owner was notified of the petition by certified mail, a delivery receipt of which is attached to the petition as Exhibit B. No objection or other reply was received from that owner in response to the certified mail.

The original 32-foot-wide segment of NW 102 Street at the subject location was dedicated to the County in 1920 by the plat of WOODLAND ADDITION, as recorded in Plat Book 6, at Page 85, of the Public Records of Miami-Dade County, Florida. In 2003 and 2022, in order to comply with Code requirements for the issuance of building permits, additional portions of land from the properties abutting on the north and south were dedicated to the County by the right-of-way deeds recorded in Official Records Book 21368, at Page 4138, and Official Records Book 33472, at Page 1533, of the Public Records of Miami-Dade County, Florida. The same abutting property owners who made those additional dedications are now petitioning for the vacation of the subject right-of-way. Had the theoretical street been vacated prior to the building permit applications, the additional portions of right-of-way would not have been requested to be dedicated to the County.

The abutting properties to the north and south are zoned RU-3B (Bungalow Court District). The abutting property to the east is zoned RU-4L (Limited Apartment House District).

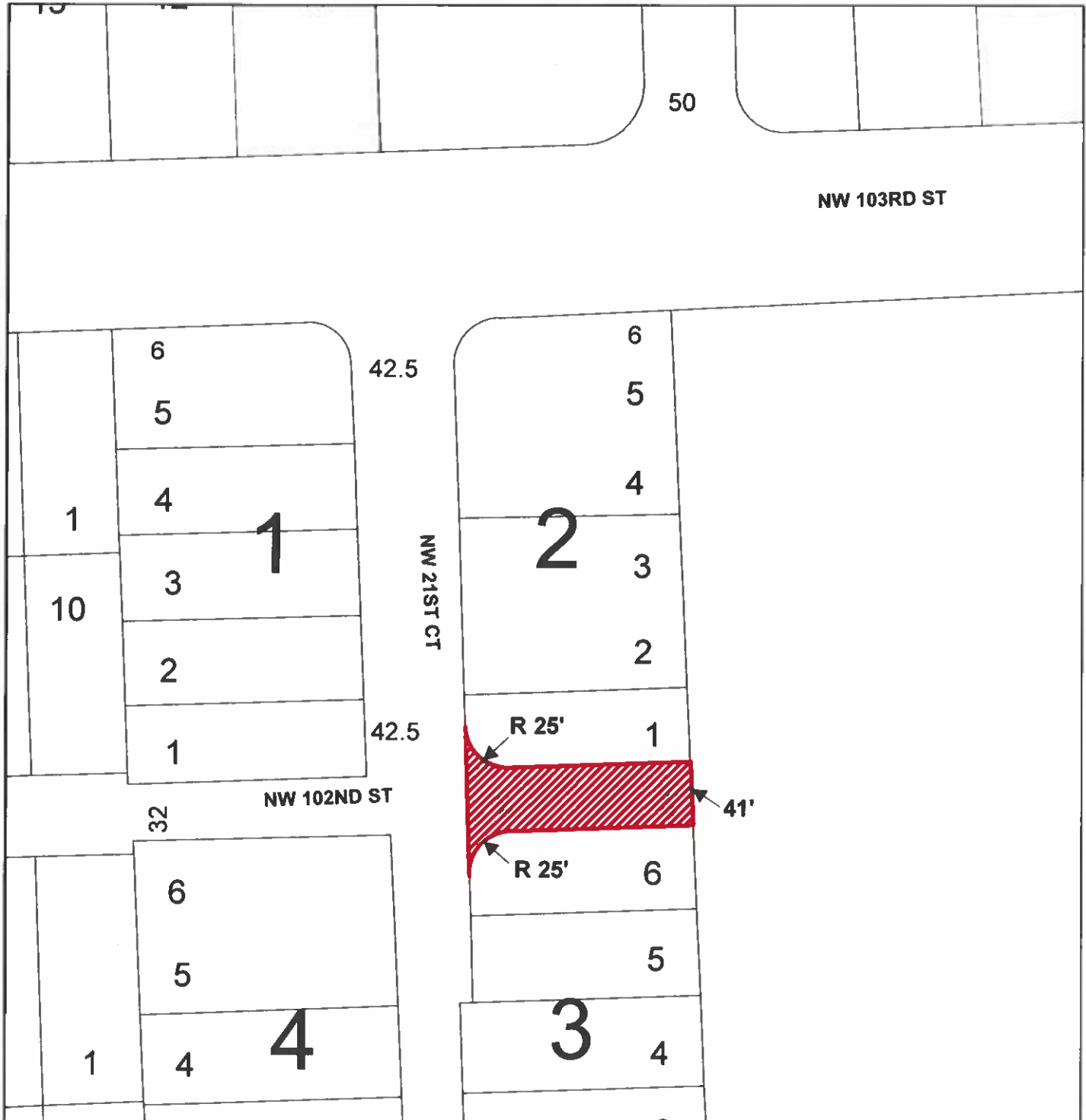
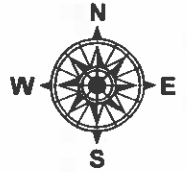


Jimmy Morales
Chief Operating Officer

Location & Aerial Map

SECTION 3 TOWNSHIP 53 RANGE 41

EXHIBIT 1



THIS IS NOT A SURVEY
NOT TO SCALE

P- 1032

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 2
Marleine Bastien

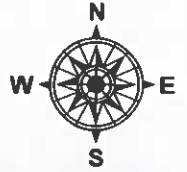
Date: 12/10/2024
Drawn By: A.Santelices

Legend 
P-1032 Vacation of Right-of-Way

Location & Aerial Map

SECTION 3 TOWNSHIP 53 RANGE 41

EXHIBIT 1



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P- 1032

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 2
Marleine Bastien

Legend 
P-1032 Vacation of Right-of-Way

Date: 12/10/2024
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:

See attached Exhibit "A".

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):

These portions of right-of-way were dedicated to the County by the Right-of-Way Deeds recorded in Official Records Book 21368, at Page 4138, and Official Records Book 33472, at Page 1533, and by the Plat of WOODLAND ADDITION, as recorded in Plat Book 6, at Page 85, all 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.

PRINT NAME	FOLIO NO.	ADDRESS
<u>GM INVESTMENT LLC</u> (Gilberto Hernandez)	<u>30-3103-019-0095</u>	<u>2100 NW 102 St, Miami, FL</u>
<u>DP REAL ESTATE HOLDINGS, L.L.C.</u> (Demetrio Perez)	<u>30-3103-019-0080</u>	<u>10201 NW 21 Ct, Miami, FL</u>
<u>IGLESIA NI CRISTO CHURCH OF CHRIST INC</u> <u>C/O CORP AND LEGAL AFFAIRS DEPT</u>	<u>30-3103-037-0010</u> See copy of delivery receipt of certified mail sent to this owner, attached as Exhibit "B" .	<u>2000 NW 103 St, Miami, FL</u>

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. **GROUND 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)

This vacation is being requested so that the underlying land reverts to private property. This segment of theoretical NW 102 Street is unimproved, covered with grass and trees, and forms a dead-end that serves no useful connection for the public. Therefore, the abutting owners to the north and south would like for the County to vacate this right-of-way so that the land becomes part of their property for their personal use.

7. **Signatures of all abutting property owners:** Respectfully submitted.

SIGNATURE

ADDRESS


Demetrio Perez, Manager of
DP Real Estate Holdings, L.L.C.

10201 NW 21 Ct, Miami, FL 33147

Attorney for Petitioner

Address: _____
(Signature of Attorney not required)

STATE OF FLORIDA)
) SS
MIAMI-DADE COUNTY)

BEFORE ME, the undersigned authority, personally appeared by means of ☒ physical or
[] online notarization Gilberto Hernandez, 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.



(Signature of Petitioner)

Sworn and subscribed to before me this

18th day of November, 2024

Notary Public State of Florida at Large

My Commission Expires: 03/13/2025

EXHIBIT A
SKETCH & LEGAL DESCRIPTION
OF R/W TO BE VACATED

MDC011

EXHIBIT "A"

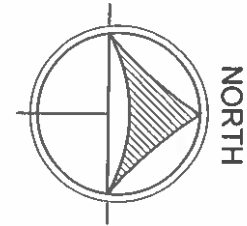
Sketch and Legal Description

LOT 6, BLOCK 4
WOODLAND ADDITION
(PB 6, PG 85)
Folio: 30-3103-019-0108
2120 NW 102 ST,
MIAMI, FL 33147-1361
Owner: MARIA GUTIERREZ

NW 21st Court
Grape Avenue (P)

NW 102nd Street (P)
First Street (P)

LOT 1, BLOCK 1
WOODLAND ADDITION
(PB 6, PG 85)
Folio: 30-3103-019-0010
10200 NW 21 CT, MIAMI,
FL 33147-1371
Owner: 10200 NW 21 CT LLC



Scale 1"= 30'

LEGEND:

SW=SOUTH WEST
NW=NORTH WEST
S=SOUTH
SF=SQUARE FEET
E=EAST
PB=Plat Book
N=NORTH
R/W=Right of Way
CL=Center Line
ML=Monument Line



By: Esteban Ortiz, PLSM 5927
5102 SW 131st Avenue
Miami, Florida, 33175
PH: 786 541 4455
Survey.ig@yahoo.com

ESTEBAN ORTIZ

Digitally signed by ESTEBAN
ORTIZ
Date: 2024.12.05 19:44:39 -05'00'

Scale 1"=30'

Date: 12-02-2024

This Sketch is not a Boundary Survey
Not valid without the signature and the
original raised seal of a Florida licensed
surveyor and mappers

SHEET 2 OF 2

12-02-2024

MDC012

EXHIBIT B

CERTIFIED MAIL
DELIVERY RECEIPT

9589 0710 5270 1161 0875 17

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
<i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ™.	
Miami, FL 33147	
OPTICAL USE	
Certified Mail Fee \$4.85	0351
\$	09
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$	\$6.10
☐ Return Receipt (electronic) \$	\$0.00
☐ Certified Mail Restricted Delivery \$	\$0.00
☐ Adult Signature Required \$	\$0.00
☐ Adult Signature Restricted Delivery \$	\$0.00
Postage \$0.73	Postmark Here
\$	11/19/2024
Total Postage and Fees \$9.68	
\$	
Sent To Iglesia Nicaito Church of CP Corp.	
Street and Apt. No., or PO Box No.	
2000 NW 103 ST.	
City, State, ZIP+4®	
MIAMI, FL 33147	
PS Form 3800, January 2023 PSN 7520-02-000-9001 See Reverse for Instructions	



MEMORANDUM

(Revised)

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

DATE: October 9, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(M)

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(M)
10-9-25

RESOLUTION NO. R-926-25

RESOLUTION GRANTING PETITION TO CLOSE
THEORETICAL NW 102 STREET FROM NW 21 COURT EAST
FOR APPROXIMATELY 143 FEET (VACATION OF RIGHT-
OF-WAY PETITION NO. P-1032) FILED BY GM INVESTMENT
LLC AND WAIVING THE SIGNATURE REQUIREMENTS OF
RESOLUTION NO. 7606 AS TO ADJACENT PROPERTY
OWNERS

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-1032 was signed by the owners of two of the properties abutting on the portions of right-of-way sought to be closed and notice was sent by certified mail to the owner of one additional property adjacent to the subject right-of-way; 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. Resolution No. 7606 is waived to the extent that it requires the signatures of all adjacent property owners on the petition to close a road.

Section 3. Vacation of Right-of-Way Petition No. P-1032 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 Mayor's Memorandum is hereby vacated, abandoned, and closed.

Section 4. All rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed.

Section 5. It is found that the action will serve a public purpose and benefit the public without violating private property rights.

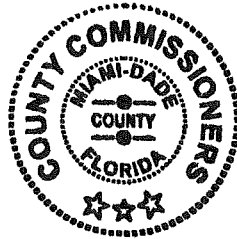
Section 6. The procedure utilized in the adoption of this resolution is expressly ratified and approved.

Section 7. 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 **Oliver G. Gilbert, III** , who moved its adoption. The motion was seconded by Commissioner **Marleine Bastein** 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	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 9th day of October, 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 "Annery Pulgar Alfonso", written over a horizontal line.

Annery Pulgar Alfonso