

MEMORANDUM

Agenda Item No. 5(M)

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

DATE: September 3, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution granting petition to vacate a portion of SW 408 Street from SW 227 Avenue to SW 224 Avenue, a portion of SW 224 Avenue from SW 408 Street north for approximately 1,986 feet, and a portion of SW 227 Avenue from SW 408 Street north for approximately 662 feet (Vacation of Right-of-Way Petition No. P-1029) filed by EIP IV FL Round Hammock Land Co, LLC and waiving the signature requirements of Resolution No. 7606 as to adjacent property owners

Resolution No. R-833-25

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/uw

Memorandum



Date: September 3, 2025

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

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Vacation of Right-of-Way Petition P-1029
Section: 8-58-38
A Portion of SW 408 Street from SW 227 Avenue to SW 224 Avenue, a Portion of SW 224 Avenue from SW 408 Street North for Approximately 1,986 Feet, and a Portion of SW 227 Avenue from SW 408 Street North for Approximately 662 Feet
Commission District: 9

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant a petition filed by EIP IV FL Round Hammock Land CO, LLC to vacate the subject portions of County right-of-way. If this petition is granted, the underlying lands will become incorporated into the abutting properties. The \$7,443.02 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-1029, 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 these portions 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 portions of right-of-way are located within District 9, which is represented by Vice Chairman Kionne L. McGhee.

Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the properties adjacent to the subject portions of right-of-way at an average rate of \$0.46 per square foot. Therefore, the estimated value of the subject land is approximately \$54,830. If the subject portions of right-of-way are closed and vacated, the land will be placed on the tax roll, generating an estimated \$930 per year in additional property taxes. The fee for this vacation of right-of-way petition is \$7,443.02.

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-1029, Exhibit A – Sketch & Legal Description, Exhibit B – Survey

Delegated Authority

There is no delegation of authority associated with this item.

Background

The owner of three of the properties abutting on the subject right-of-way, EIP IV FL Round Hammock Land CO, LLC, has petitioned the County to vacate SW 408 Street from SW 227 Avenue to SW 224 Avenue, SW 224 Avenue from SW 408 Street north for approximately 1,986 feet, and a portion of SW 227 Avenue from SW 408 Street north for approximately 662 feet so that the underlying land becomes incorporated into the abutting properties to then become part of a proposed wetlands restoration project at this location.

Although it did not sign the petition, the South Florida Water Management District (SFWMD), as owner of the other three abutting properties, has reviewed this petition and advised the Department of Transportation and Public Works that it has no objection to the vacation of the subject portions of right-of-way.

The subject lands were dedicated to the County by the Right-of-Way Deeds recorded in the Public Records of Miami-Dade County, Florida in Deed Book 1847, at Page 112, Deed Book 1850, at Page 135, Deed Book 1864, at Page 52, and Deed Book 1872, at Page 264.

The subject portions of right-of-way have never been improved nor maintained by the County and consist of undeveloped land covered with vegetation. The abutting private properties are zoned AU (Agricultural/Residential).

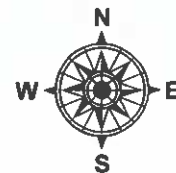


Jimmy Morales
Chief Operating Officer

Location & Aerial Map

SECTION 8 TOWNSHIP 58 S RANGE 38 E

EXHIBIT 1



THIS IS NOT A SURVEY
NOT TO SCALE

Legend 
P-1029 Vacation of R/W

P- 1029
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 9
Kionne L. McGhee

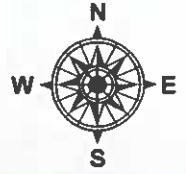
Date: 11-13-2024
Drawn By: A.Santelices

MDC004

Location & Aerial Map

SECTION 8 TOWNSHIP 58 S RANGE 38 E

EXHIBIT 1



THIS IS NOT A SURVEY
NOT TO SCALE

Legend 
P-1029 Vacation of R/W

P- 1029
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 9
Kionne L. McGhee

Date: 11-13-2024
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 East 30 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 8,
Township 58 South, Range 38 East, in Miami-Dade County, Florida;

AND

The East 30 feet of the SW 1/4 of the SW 1/4 of said Section 8;

AND

The West 30 feet AND the South 30 feet of the South 1/2 of the SW 1/4 of
the SW 1/4 of said Section 8;

Being further described and depicted in the 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):

1. Right-of-Way Deed Recorded in Official Record Book 1847, Page 112.

2. Right-of-Way Deed Recorded in Official Record Book 1850, Page 135.

3. Right-of-Way Deed Recorded in Official Record Book 1864, Page 52.

4. Right-of-Way Deed Recorded in Official Record Book 1872, Page 264.

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.

Please see Exhibit "B".

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
EIP IV FL Round Hammock Land Co LLC.	30-8808-000-0050	N/A
EIP IV FL Round Hammock Land Co LLC.	30-8808-000-0060 30-8808-000-0040	N/A
South Florida Water Management District	30-8818-000-0010, 30-8807-000-0030 30-8817-000-0010	N/A

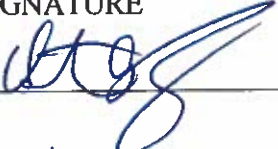
5. ACCESS TO OTHER PROPERTY: The undersigned certify that in the event this petition is granted no other property owners will be prevented from access to and from their property and no other property owners in the vicinity will be adversely affected.
6. GROUNDS FOR REQUESTING PETITION AND PROPOSED USE 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 Petitioner is seeking a vacation of that certain portion of the SW 408th Street right-of-way near the southwest corner of that certain +/- 239.92-acre property located south of SW 400th Street between SW 217th and SW 227th avenues in unincorporated Miami-Dade County. In anticipation of approvals for the proposed use, the proposed road closure will allow for the Applicant to establish a wetland mitigation bank on the property, which today remains vacant. As part of the proposed wetlands mitigation bank, the Petitioner will restore, enhance, and preserve the property pursuant to federal, state, and local regulations. The establishment of the wetlands mitigation bank will obviate the need for the right of way as the site will not be developed and there will be no access to the site from this area. The vacation of the right of way will allow

the Petitioner to enhance the design of the wetlands mitigation bank operation in light of county, state, and federal regulations. Thus, the granting of this Petition will not adversely impact the property and no other property owners in the vicinity. If approved, the vacation of the right-of-way will not create any impact to the health, safety, or welfare of the residents of Miami-Dade County. Based on the foregoing, the petitioner respectfully requests that you accept this Petition and for the timely approval of this request by the Board of County Commissioners.

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

SIGNATURE

A handwritten signature in blue ink, appearing to read 'H. Rushing', is written over a horizontal line.

Printed Name: Heath Rushing
Title: Managing Partner

ADDRESS

5550 Newbury St., Suite B
Baltimore, Maryland 21209

Attorney for Petitioner

By: 
Hugo P. Arza, Esq. c/o Holland & Knight LLP
Attorney for Petitioner

Address: 701 Brickell Avenue, Suite 3300
Miami, Florida 33131

STATE OF FLORIDA)
) SS
MIAMI-DADE COUNTY)

BEFORE ME, me by means of ☒ physical presence or ☐ online notarization the undersigned authority appeared Hugo P. Arza, Esq c/o Holland & Knight LLP, 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.

Sworn and subscribed to before me this
6th day of Nov., 2024


Notary Public State of Florida at Large

My Commission Expires: _____

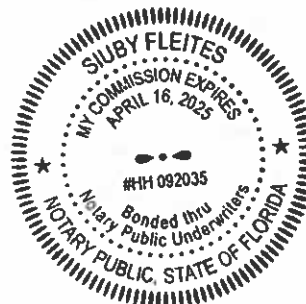


EXHIBIT A
SKETCH & LEGAL DESCRIPTION
OF R/W TO BE VACATED

EXHIBIT "A"
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGAL DESCRIPTION:

A PORTION OF THE S.W. 1/4 OF SECTION 8, TOWNSHIP 58 SOUTH, RANGE 38 EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE S.W. CORNER OF SAID SECTION 8; THENCE N00°25'49"W ALONG THE WEST LINE OF SAID SECTION 8 FOR 661.90 FEET; THENCE N89°29'15"E FOR 30.00 FEET; THENCE S00°25'49"E ALONG A LINE PARALLEL WITH AND 30 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLE, WITH THE WEST LINE OF SAID SECTION 8 FOR 631.94 FEET; THENCE N89°29'35"E ALONG A LINE PARALLEL WITH AND 30 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLE, WITH THE SOUTH LINE OF SAID SECTION 8 FOR 1,284.65 FEET; THENCE N00°31'40"W FOR 1,956.21 FEET; THENCE N89°28'33"E FOR 30.00 FEET; THENCE S00°31'40"E FOR 1,986.22 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 8; THENCE S89°29'35"W, ALONG THE SOUTH LINE OF SAID SECTION 8, FOR 1,344.69 FEET TO THE POINT OF BEGINNING.
CONTAINING 117,985 SQUARE FEET OR 2.71 ACRES MORE OR LESS.

SURVEYOR'S REPORT :

BEARINGS AND COORDINATES SHOWN HEREON ARE RELATIVE TO THE STATE PLANE COORDINATE SYSTEM, FLORIDA EAST COAST ZONE, NAD 83 (2011) ALONG THE SOUTH LINE OF SECTION 8, TOWNSHIP 58 SOUTH, RANGE 38 EAST WHICH BEARS S89°29'35"W.

THIS IS NOT A BOUNDARY SURVEY. THIS IS A SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES AND TO CHAPTER 5J-17 OF THE F.A.C.

ABBREVIATIONS:

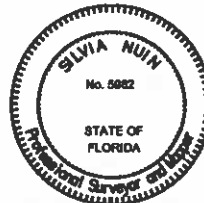
LB LICENCE BUSINESS
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
SEC. SECTION
TWP. TOWNSHIP
RGE. RANGE

SURVEYOR'S CERTIFICATION :

I HEREBY CERTIFY THAT THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SILVIA NUIN Digitally signed by SILVIA NUIN
Date: 2024.10.24 14:03:19 -04'00'

SILVIA NUIN
PROFESSIONAL SURVEYOR AND MAPPER No. 5982
STATE OF FLORIDA
NOT VALID WITHOUT THE ORIGINAL SURVEYOR'S SEAL.



FOR SKETCH SEE SHEET 2

LB NUMBER: 2439

MANUEL G. VERA AND ASSOCIATES, INC.
SURVEYORS • MAPPERS • SUB SURFACE UTILITY
13960 SW 47th Street Miami, FL 33175 • Phone (305)221-8210
P.O. BOX 650578 • Miami, FL 33265 • Fax (305)221-1295
www.mgvera.com

TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION		
PROJECT: ROUND HAMMOCK MITIGATION BANK		
DATE: 08/13/2024	SCALE N.A.	SHEET 1 OF 2
DRAWN BY: S.N.		

NOT A SURVEY

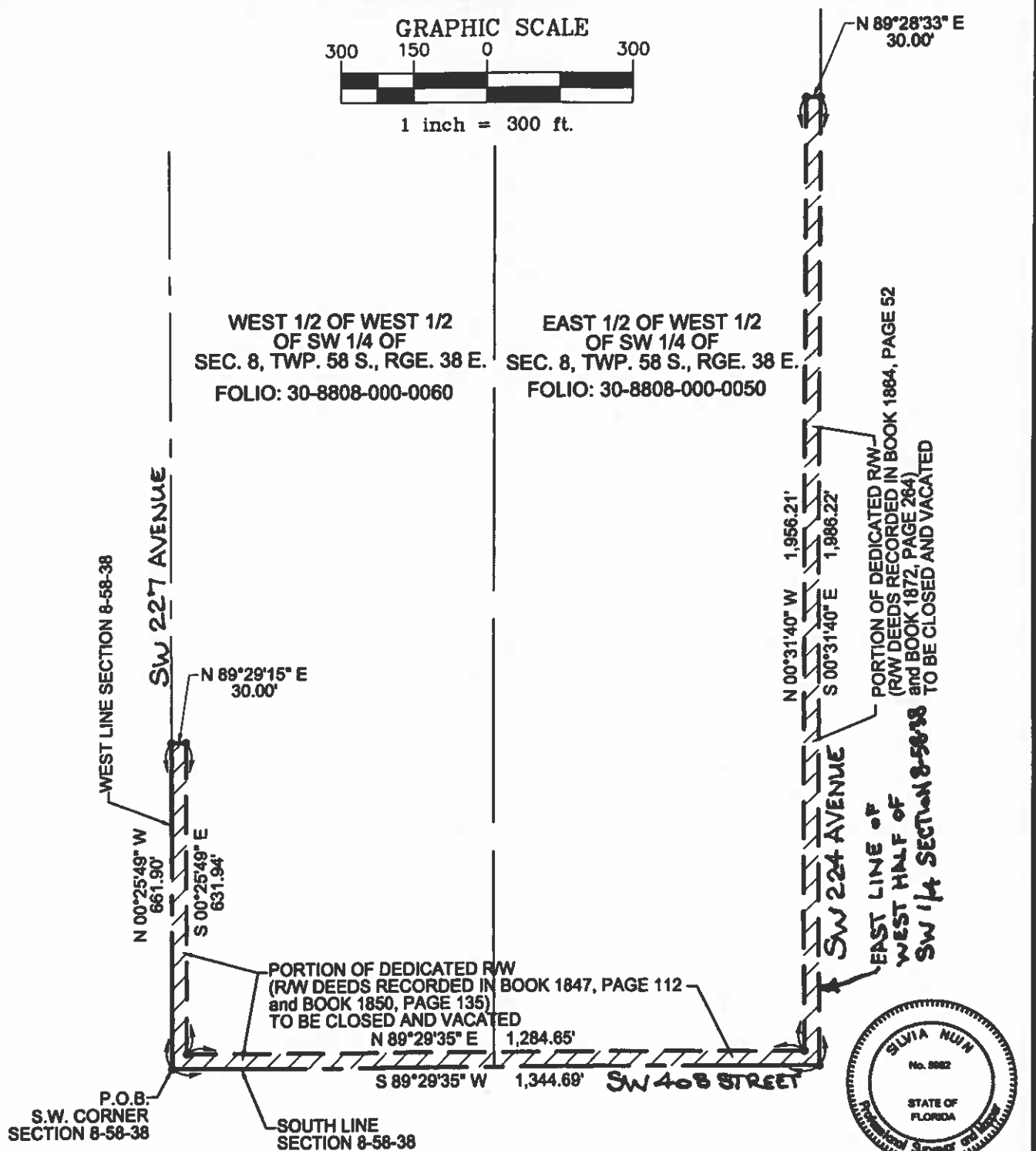
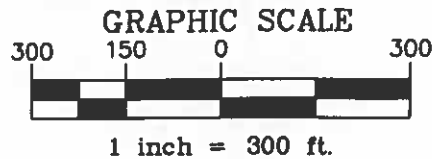
JOB No. 21-585/23-616/23-680 PARCEL 1

MDC011



EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



FOR NOTES SEE SHEET 1

LB NUMBER: 2439

MANUEL G. VERA AND ASSOCIATES, INC.
SURVEYORS • MAPPERS • SUB SURFACE UTILITY
13960 SW 47th Street Miami, FL 33175 • Phone (305)221-6210
P.O. BOX 650578 • Miami, FL 33265 • Fax (305)221-1295
www.mgvera.com

TYPE OF PROJECT: SKETCH AND LEGAL DESCRIPTION		
PROJECT: ROUND HAMMOCK MITIGATION BANK		
DATE: 08/13/2024	SCALE: N.A.	SHEET: 2 OF 2
DRAWN BY: S.N.		

NOT A SURVEY

MDC012

JOB No. 21-585/23-616/23-680 PARCEL 1

EXHIBIT B

SURVEY

MANUEL G. VEKA & ASSOCIATES, INC. • SURVEYORS • MAPPERS • SUBSURFACE UTILITY
13660 SW 47th Street • Miami, FL 33175 • Phone (305) 221-6210
P.O. BOX 650578 • Miami, FL 33265 • Fax (305) 221-1795
www.mgvea.com

ALTA/NSPS LAND TITLE SURVEY
AND BOUNDARY SURVEY
VACANT PARCEL AT THE NE INTERSECTION
OF SW 408TH STREET AND SW 227TH AVENUE

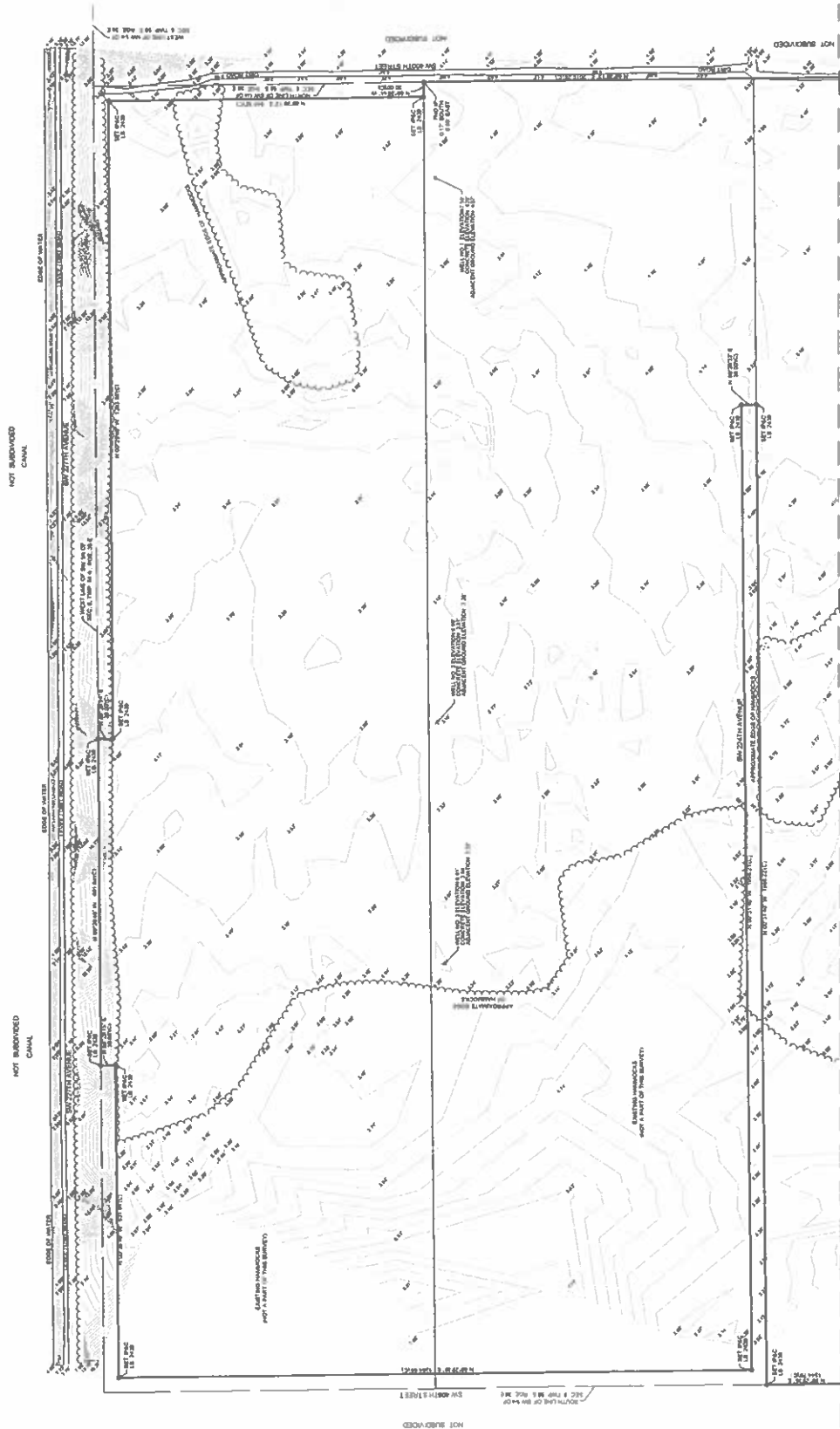
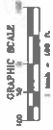
[illegible]

ALTA/NSPS LAND TITLE SURVEY AND BOUNDARY SURVEY



SEE SHEET 1 OF 5 FOR NOTES AND LEGEND

ALTA/NSPS LAND TITLE SURVEY AND BOUNDARY SURVEY



DATE: 11/10/2021 FIELD BOOK: 1157 DESIGN NO: 21-585 DRAWN BY: MCL CHECKED: MCL SCALE: AS SHOWN	REVISION NO DATE 1 10/27/2021	ALTA/NSPS LAND TITLE SURVEY AND BOUNDARY SURVEY OF VACANT PARCEL AT THE NE INTERSECTION OF SW 40TH STREET AND SW 22TH AVENUE	MANUEL G. VERA & ASSOCIATES, INC. SURVEYORS • MAPPERS • SUBSURFACE UTILITY 13960 SW 47th Street • Miami, FL 33175 • Phone (305) 221-6210 P.O. BOX 650578 • Miami, FL 33265 • Fax (305) 221-1285 www.mgyvera.com
--	--	---	--

SEE SHEET 1 OF 5 FOR NOTES AND LEGEND
SEE SHEET 2 OF 5 FOR SECTION AND BOUNDARY INFORMATION

Date	11/19/2021
FIELD BOOK:	1302
DESIGN NO.	ZI-505
DRAWN BY:	MCJ
CHECKED:	CFA
SCALE:	AS SHOWN

GRAPHIC SCALE

0 50 100

1 inch = 100 ft.



SEE SHEET 1 OF 5 FOR NOTES AND LEGEND
SEE SHEET 2 OF 5 FOR SECTION AND BOUNDARY INFORMATION

SHEET 5 OF 5

MANUEL G. VERA & ASSOCIATES, INC. SURVEYORS • MAPPERS • SUBSURFACE UTILITY

ALTA/NSPS LAND TITLE SURVEY
AND BOUNDARY SURVEY
VACANT PARCEL AT THE NE INTERSECTION
OF SW 408TH STREET AND SW 227TH AVENUE

DATE	TIME	LOCATION	ACTIVITY
10/12/2023	14:00	1015	1015

FILED BOOK: 1382
DESIGN NO: 21-585
DRAWN BY: MCI
CHECKED: GEA
AS SHOWN

MDC018



MEMORANDUM

(Revised)

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

DATE: September 3, 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)
9-3-25

RESOLUTION NO. R-833-25

RESOLUTION GRANTING PETITION TO VACATE A PORTION OF SW 408 STREET FROM SW 227 AVENUE TO SW 224 AVENUE, A PORTION OF SW 224 AVENUE FROM SW 408 STREET NORTH FOR APPROXIMATELY 1,986 FEET, AND A PORTION OF SW 227 AVENUE FROM SW 408 STREET NORTH FOR APPROXIMATELY 662 FEET (VACATION OF RIGHT-OF-WAY PETITION NO. P-1029) FILED BY EIP IV FL ROUND HAMMOCK LAND CO, 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-1029 was signed by the owner of three of the properties abutting on the portions of right-of-way sought to be vacated; and

WHEREAS, although it did not sign the petition, the South Florida Water Management District, owner of three properties adjacent to the portions of right-of-way sought to be vacated, advised the Department of Transportation and Public Works that it did not object to these portions of right-of-way being vacated; 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-1029 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 **Eileen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** 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	absent
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 3rd day of September, 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 be "Annery P. Alfonso", written over a horizontal line.

Annery P. Alfonso