

MEMORANDUM

Agenda Item No. 8(N)(3)

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

DATE: July 16, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution accepting an implied offer of dedication for a portion of SW 110 Avenue from approximately 514 feet north of the centerline of SW 184 Street north for approximately 163 feet, in section 31, township 55 south, range 40 east, Miami-Dade County, Florida; authorizing the County Mayor to take all actions necessary to effectuate same; and directing the County Mayor to record the acceptance of the implied offer of dedication in the public records of Miami-Dade County, Florida

Resolution No. R-752-25

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/gh

Memorandum



Date: July 16, 2025

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

From: Daniella Levine Cava
Mayor 

Subject: Resolution Accepting an Implied Offer of Dedication for a Portion of SW 110 Avenue North of SW 184 Street in Section 31, Township 55 South, Range 40 East

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to accept an implied offer of dedication for roadway right-of-way purposes for the subject portion of land. This will cause the land to officially become incorporated into the County-maintained public road right-of-way for SW 110 Avenue. Annual maintenance costs associated with the acceptance of the subject portion of land for road right-of-way are estimated to be \$30.

Recommendation

It is recommended that the Board approve the attached resolution accepting an implied offer of dedication for a portion of SW 110 Avenue from approximately 514 feet north of the centerline of SW 184 Street north for approximately 163 feet, as illustrated in Exhibit A and more particularly described in Exhibit B, attached hereto and made a part hereof. The Department of Transportation and Public Works (DTPW) needs this portion of right-of-way for road purposes and recommends that the Board accept this implied offer of dedication.

Scope

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

Fiscal Impact/Funding Source

The total fiscal impact of accepting this implied offer of dedication is estimated to be \$30 annually for maintenance costs associated with the subject portion of 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 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 to the County Mayor or County Mayor's designee to take all actions necessary to effectuate the acceptance of the implied offer of dedication. Furthermore, the County Mayor or County Mayor's designee shall record the acceptance of this implied offer of dedication in the Public Records of Miami-Dade County.

Attachments: Exhibit A – Location and Aerial Maps, Exhibit B – Legal Description, Exhibit C – Warranty Deed, Deed Book 2693, Page 433, Exhibit D – Warranty Deed, Official Records Book 32880, Page 4001, Exhibit E – Tentative Plat T-25200

Background

As evidenced by the Warranty Deed recorded in Deed Book 2693, at Page 433, of the Public Records of Miami-Dade County, Florida, a copy of which is attached hereto as Exhibit C, on May 20, 1946, Frank J. Andre and Mildred Hammer Andre, the owners of an 80-acre tract of land spanning from SW 107 Avenue to SW 112 Avenue and from SW 180 Street to SW 184 Street, made a covenant running with the land for certain strips of their property to be reserved for road right-of-way purposes. Included among these strips is the subject 25-foot-wide portion of land along SW 110 Avenue fronting on property folio 30-5031-000-0270. The covenant expresses the owners' intent to formally dedicate these portions to the County within one year from the date of said deed, and, in the event that the County would not accept the dedications, to create permanent right-of-way easements over said strips of land. A search of the public records did not recover any documents indicating that a formal dedication of the subject portion of land was ever made to the County, nor was any record found of the formal creation of an easement for right-of-way purposes over the subject portion of land.

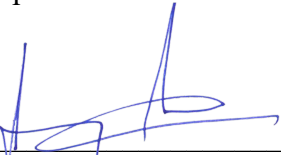
However, common law dedication of property for public use may be made by the express declaration of the party or by its acts. The intent to offer the subject land for roadway purposes was reviewed and confirmed by an examination of title. Subsequent conveyances of property folio 30-5031-000-0270 have continued to acknowledge the original intent to dedicate the subject portion of land for road right-of-way purposes. Various deeds in the chain of title contain language such as "less the East 25 feet for road purposes" to exclude the subject 25-foot-wide strip of land from the legal description of the property and to imply an offer of dedication for road right-of-way of the said strip. The latest property conveyance found on record for folio 30-5031-000-0270 is the Warranty Deed recorded at Official Records Book 32880, at Page 4001, of the Public Records of Miami-Dade County, Florida, a copy of which is attached hereto as Exhibit D. This deed excludes the subject 25-foot-wide strip of land from the legal description and subjects the conveyance to any "covenants, conditions, restrictions, easements, reservations, and limitations of record, if any", thereby reaffirming the implied offer of dedication.

The existing conditions at the subject location further imply the intention to offer this strip of land for use as a public right-of-way. The tentative plat, T-25200, attached as Exhibit E, indicates that a portion of the paved public roadway for SW 110 Avenue and public utilities including overhead wires and wooden power poles exist within the subject 25-foot-wide strip of land. Additionally, a fence has been constructed on the zoned right-of-way line (25 feet west of the zoned centerline of SW 110 Avenue), to physically separate the subject 25-foot-wide strip of land from the abutting private property to the west.

In order for the owner to comply with requirements for the development of the abutting land, the County requires the subject 25-foot-wide strip of land to be dedicated for public right-of-way for SW 110 Avenue. Thus, the owner of property folio 30-5031-000-0270 wishes for the County to accept this implied offer of dedication for the subject strip of land in order to comply with the requirements for platting.

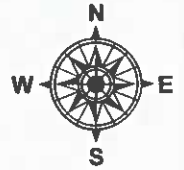
Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners
Page No. 3

No information was found in the public records that would withdraw, revoke, or impair this implied offer of dedication.



Jimmy Morales
Chief Operating Officer

Location & Aerial Map
SECTION 31 TOWNSHIP 55 RANGE 40
EXHIBIT A (Page 1 of 2)



THIS IS NOT A SURVEY
 NOT TO SCALE

Implied Offer of R/W Dedication

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

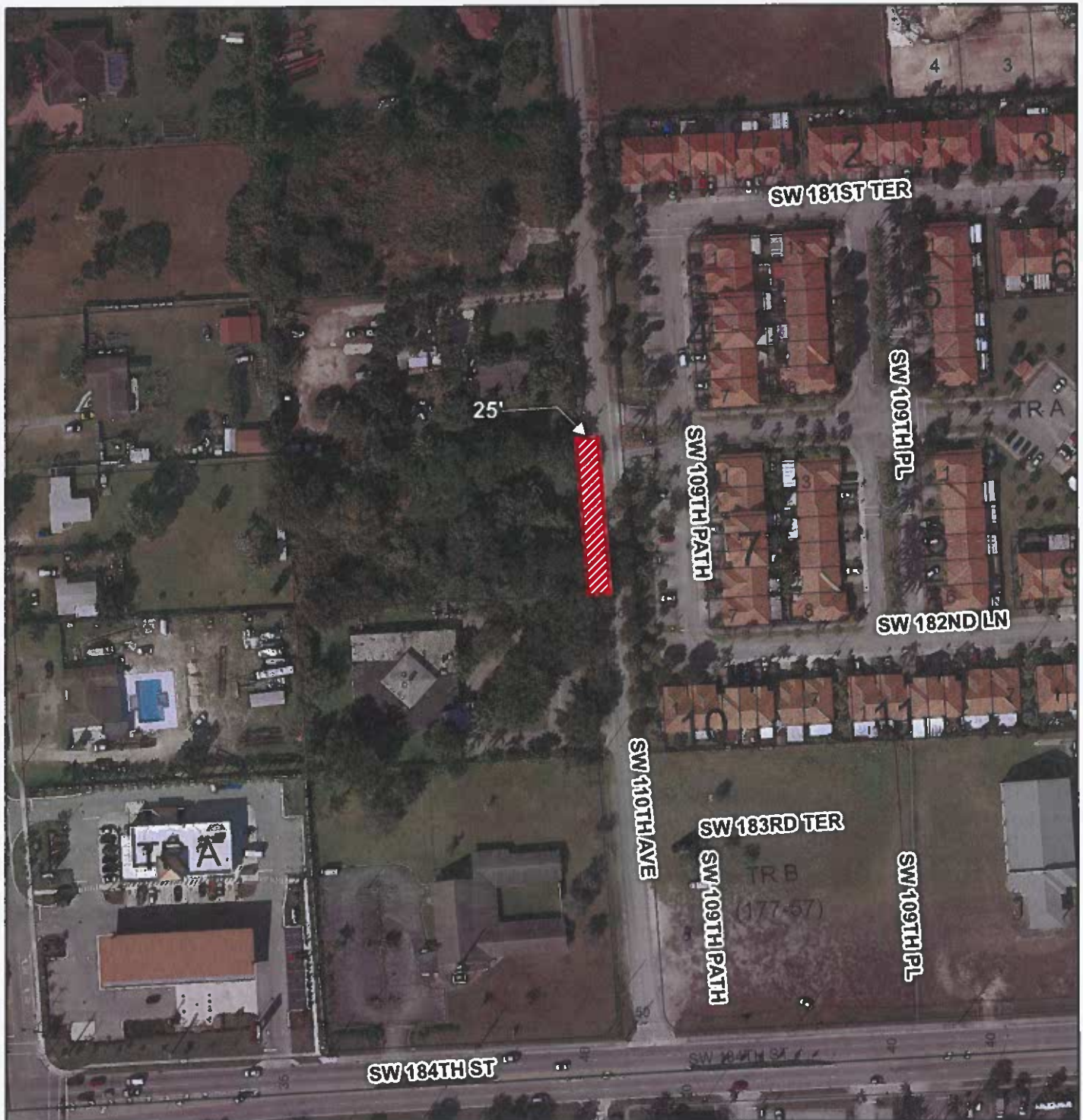
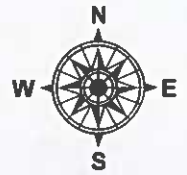
Legend

Area of Implied Offer of Dedication

Date: 2-26-2025
 Drawn By: A.Santelices

MDC005

Location & Aerial Map
 SECTION 31 TOWNSHIP 55 RANGE 40
EXHIBIT A (Page 2 of 2)



THIS IS NOT A SURVEY
 NOT TO SCALE

Implied Offer of R/W Dedication

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

Legend

Area of Implied Offer of Dedication

Date: 2-26-2025

Drawn By: A.Santelices

EXHIBIT B

LEGAL DESCRIPTION

The East 25 feet of the North 325.6 feet, less the South 162.8 feet thereof, of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 31, Township 55 South, Range 40 East, lying and being in Miami-Dade County, Florida.

EXHIBIT C
IMAGE OF WARRANTY DEED
RECORDED AT
DEED BOOK 2693-433

This Indenture, Made this 20th day of May V-44210
Filed 5-24-1946

A. D. 1944, BETWEEN FRANK J. ANDRE and MILDRED HAMMER ANDRE, his wife,

of the County of Dade and State of Florida

parties of the first part, and HYDRO FARMS, Inc., a corporation

existing under the laws of the State of Florida, having its principal place of
at 127 N.E. 2nd Ave., Miami,
business in the County of Dade and State of Florida

and lawfully authorized to transact business in the State of Florida, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the
sum of Ten (\$10.00) and other good and valuable consideration Dollars,
to them in hand paid by the said party of the second part, the receipt whereof is hereby
acknowledged, have granted, bargained and sold to the said party of the second part, its
successors and assigns, forever, the following described land, situate, lying and being in the County

of Dade and State of Florida, to-wit: The East Quarter (E $\frac{1}{4}$) of the
South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 31, Township 55 South, Range
40 East, lying and being in Dade County, Florida.

IT IS HEREBY MADE A COVENANT by and between the parties herein, said covenant pass-
ing with the land herein described, that the grantors herein are now the owners of the
South Half of the SE $\frac{1}{4}$ of Section 31, Township 55 South, Range 40 East, an eighty acre
tract, and this deed, as well as any and all other deeds to be given by said grantors
to any portion or portions of the said eighty acre tract, shall contain the reservation
that the North 25 feet and the East 35 feet and the South 35 feet and the West 35 feet
of said South Half of the SE $\frac{1}{4}$, and also the West 25 feet of the E $\frac{1}{4}$ of said South Half
of the SE $\frac{1}{4}$, and the East 25 feet and the West 25 feet of the West Half of the East Half
of said South Half of the SE $\frac{1}{4}$, and the East 25 feet and the West 25 feet of the East Half
of the West Half of said South Half of the Southeast quarter, and the East 25 feet of
the W $\frac{1}{2}$ of said South Half of the SE $\frac{1}{4}$, all of the above being in said Section 31, Town-
ship 55 South, Range 40 East, are reserved for right-of-way purposes for roads. Said
grantors reserve the right within a year from date hereof to either dedicate said right-
of-way strips to the public which at the present time would be Dade County, Florida, or
in the event the said public will not accept the dedication, then said grantors will at
the end of one year from date hereof dedicate said right-of-way strips as permanent
easements for the use and benefit of the property in said eighty acre tract and all
portions thereof. The grantees herein shall have the right to utilize the said strips
subject only to the easement for right-of-way purposes. On any property above described
and now held in the name of the grantors the same easement shall be effective.

And the said parties of the first part do hereby fully warrant the title to said land, and will
defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their
hands and seals the day and year above written.

Signed, sealed and delivered in presence of us:

Ralph J. Jones

Dorothy Annis

Frank J. Andre

Mildred Hammer Andre

(Seal)

(Seal)

STATE OF FLORIDA

County of Dade

I HEREBY CERTIFY, That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments
FRANK J. ANDRE and MILDRED HALPER ANDRE, his wife,

to me well known to be the person ☒ described in and who executed the foregoing deed, and acknowledged before me that **they** executed the same freely and voluntarily for the purposes therein expressed.

AND I FURTHER CERTIFY, That the said **MILDRED HALPER ANDRE** known to me to be the wife of the said **FRANK J. ANDRE** on a separate and private examination taken and made by and before me, separately and apart from her said husband, did acknowledge that she was a party to said deed for the purpose of renouncing, relinquishing and conveying all her right, interest, claim, whether dower, homestead or of separate property, statutory or equitable, in and to the lands described therein, and that she executed the said deed freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

WITNESS my hand and official seal at South Miami, County of Dade, State of Florida, this 20th day of May, A. D. 1946

Notary Public in and for the State of Florida
 My commission expires January 30 1950

Blanchy C. ...
 Notary Public, State of Florida at large
 My commission expires Jan. 30, 1950

STATE OF FLORIDA

County of

I HEREBY CERTIFY, That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments

to me well known to be the person described in and who executed the foregoing deed, and acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at _____, County of _____, State of _____, this _____ day of _____, A. D. 193

Warranty Deed
 (TO CORPORATION)

ABSTRACT OF DESCRIPTION

Date _____

STATE OF FLORIDA
 COUNTY OF **DADE**
 On this 21 day of May, A. D. 1946, at _____ o'clock P.M., this instrument was filed for record, and, being duly acknowledged and proven, I have recorded the same on Page 433 of Book 2693 in the Public Records of said County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court of the _____ Judicial Circuit of said State, in and for said County.

E. B. LEATHERMAN, Clerk
By J. ...

FILED FOR RECORD
 MAY 24 1946 2 10 PM
 E. B. LEATHERMAN
 CLERK OF DADE CO. FLA.

2-7-5-79-DADE-CO. S. Roche

11210

145

EXHIBIT D
IMAGE OF WARRANTY DEED
RECORDED AT
OFFICIAL RECORDS BOOK 32880-4001



CFN 2021R0904535
 OR BK 32880 Pgs 4001-4002 (2Pgs)
 RECORDED 12/02/2021 14:00:20
 DEED DOC TAX \$3,420.00
 SURTAX \$2,565.00
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

Prepared by:
 Roberto F. Vilelas III, Esq.
 Attorney at Law
 Vilelas PLLC
 782 NW LaJolla Road, Suite 430
 Miami, FL 33126
 305-442-1443
 File Number: 21-01814
 Return to:
 Adrian D. Ferradas, Esq.
 782 NW 43 Avenue, Suite 637
 Miami, FL 33126

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 24 day of November, 2021 between John P. Berendsohn, a married man whose post office address is 20020 SW 117 Court, Miami, FL 33177, grantor, and The Mark, LLC, a Florida limited liability company whose post office address is 10008 West Flagler Street, Suite 247, Miami, FL 33174, grantee: (Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida to-wit:

Th North 325.6 feet less the South 162.8 feet of the NE 1/4 of the SW 1/4 of the SW 1/4 of the SE 1/4, less the East 25 feet thereof, in Section 31, Township 55 South, Range 40 East, lying and being in Miami-Dade County, Florida.

Parcel Identification Number: 30-5031-000-0270

Subject to taxes for 2022 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence and homestead address is: 20020 SW 117 Court, Miami, FL 33177.

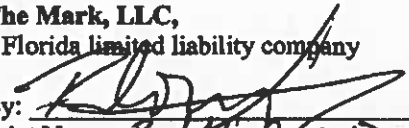
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.

I HEREBY CERTIFY THAT I HAVE READ, UNDERSTAND AND HAVE SIGNED THE AGRICULTURAL DISCLOSURE STATEMENT FOR THE SALE OF OR OTHER TRANSACTION INVOLVING THIS PARCEL OF AFFECTED LAND AS REQUIRED BY SECTION 33-2841.1, CODE OF Miami-Dade COUNTY, FLORIDA.

The Mark, LLC,
 a Florida limited liability company

By: 

Print Name: Roberto Vilelas

Title: Manager

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Maria Rivero
Witness Name: MARIA RIVERO

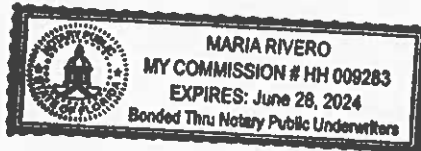
John P. Berendsohn (Seal)
John P. Berendsohn

Adriano A. FERRON
Witness Name: Adriano A. FERRON

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 24 day of November, 2021 by John P. Berendsohn, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]



Maria Rivero
Notary Public
Printed Name: MARIA RIVERO
My Commission Expires: _____

EXHIBIT E
TENTATIVE PLAT T-25200



MEMORANDUM

(Revised)

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

DATE: July 16, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(3)

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)(3)
7-16-25

RESOLUTION NO. _____ R-752-25

RESOLUTION ACCEPTING AN IMPLIED OFFER OF DEDICATION FOR A PORTION OF SW 110 AVENUE FROM APPROXIMATELY 514 FEET NORTH OF THE CENTERLINE OF SW 184 STREET NORTH FOR APPROXIMATELY 163 FEET, IN SECTION 31, TOWNSHIP 55 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECORD THE ACCEPTANCE OF THE IMPLIED OFFER OF DEDICATION IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, an implied offer is formally acknowledged by the owners of the property lying west of and abutting the 25-foot less-out along the west side of SW 110 Avenue from approximately 514 feet north of the centerline of SW 184 Street north for approximately 163 feet, said property having been conveyed to The Mark, LLC, a Florida limited liability company whose address is 10008 West Flagler Street, Suite 247, Miami, FL 33174, by Warranty Deed dated November 24, 2021 and recorded in Official Records Book 32880, at Page 4001, of the Public Records of Miami-Dade County, Florida,

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. This Board, upon consideration of the Transportation and Public Works Department's recommendation, finds and determines that the acceptance of this implied offer of dedication is in the public's best interest.

Section 3. This Board hereby approves and accepts the implied offer of dedication, as illustrated in Exhibit A, as legally described in Exhibit B, and as expressed in Exhibits C and D, all such Exhibits being attached to the Mayor's Memorandum, and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate same.

Section 4. Pursuant to Resolution No. R-974-09, the County Mayor or County Mayor's designee shall within 30 days hereafter record this acceptance herein in the Public Records of Miami-Dade County and provide a recorded copy to the Clerk of the Board; and the Clerk of the Board shall permanently store a recorded copy of this acceptance.

The foregoing resolution was offered by Commissioner **Marleine Bastien** , 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	aye
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
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 16th day of July, 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