

MEMORANDUM

Agenda Item No. 8(N)(1)

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

DATE: November 18, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution accepting one conveyance of property interests in a portion of SW 158th Avenue from approximately 650 feet northeast of the centerline of SW 96th Street northeast for 127 feet 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-1126-25

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



Geri Bonzon-Keenan
County Attorney

GBK/gh

Memorandum



Date: November 18, 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 11, which is represented by Commissioner Roberto J. Gonzalez.

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.

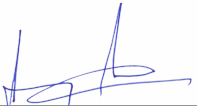
Delegated Authority

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.	Avalon Kendall, LLC	RWD*	A portion of SW 158 Avenue from approximately 650 feet northeast of the centerline of SW 96 Street northeast for 127 feet	This right-of-way is needed in order to satisfy a zoning requirement that all building sites abut a dedicated right-of- way. (File 20250035)



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. 30-5905-029-0031
User Department: DTPW

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES
Limited Liability Company**

STATE OF VIRGINIA)
) SS
COUNTY OF ARLINGTON)

THIS INDENTURE, Made this 3rd day of April, A.D. 2025, by and between AVALON KENDALL, LLC, a Delaware limited liability company, whose address is 4040 Wilson Boulevard, Suite 1000, Arlington, VA 22203, 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 the 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:

See attached Exhibit "A".

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 the 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 heirs and assigns, and it shall have the right to immediately repossess the same.

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

IN WITNESS WHEREOF, the said party of the first part, by its Member(s), has caused these presents to be signed for and on its behalf, the day and year first above written.

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


Witness
Paul W. Proff 4040 Wilson St
Arlington, VA 22203
Printed Name & Address


Witness
Anthony Israelson 4040 Wilson Blvd
Arlington, VA 22203
Printed Name & Address

Witness

Printed Name & Address

Witness

Printed Name & Address

AVALON KENDALL LLC, a Delaware limited liability company

By: Avalon Kendall Member, LLC, a Delaware limited liability company, its Manager

By: AvalonBay Communities, Inc., a Maryland corporation, its Sole Member


(Sign)
By: Member

Stewart Raper
Printed Name
4040 Wilson Blvd, Arlington VA 22203
Address (if different)

(Sign)
By: Member

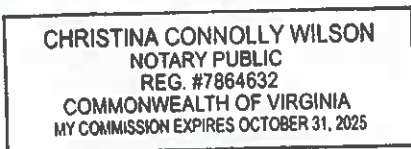
Printed Name

Address (if different)

STATE OF VIRGINIA)
) SS
COUNTY OF ARLINGTON)

I HEREBY CERTIFY, that on this 3rd day of April, A.D. 2025, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared by means of ☒ physical or ☐ online notarization Stewart Raper and _____ personally known to me, or proven, by producing the following forms of identification: _____ to be the Member(s) duly authorized on behalf of AVALON KENDALL, LLC, a Delaware limited liability company. Said Member(s) executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

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



NOTARY SEAL/STAMP

Christina Connolly Wilson
Notary Signature

Christina Connolly Wilson
Printed Notary Signature

Notary Public, State of Virginia

My commission expires: 10/31/2025

Commission/Serial No. #7864632

The foregoing was accepted and approved on the _____ day of _____, A.D. 202_, 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

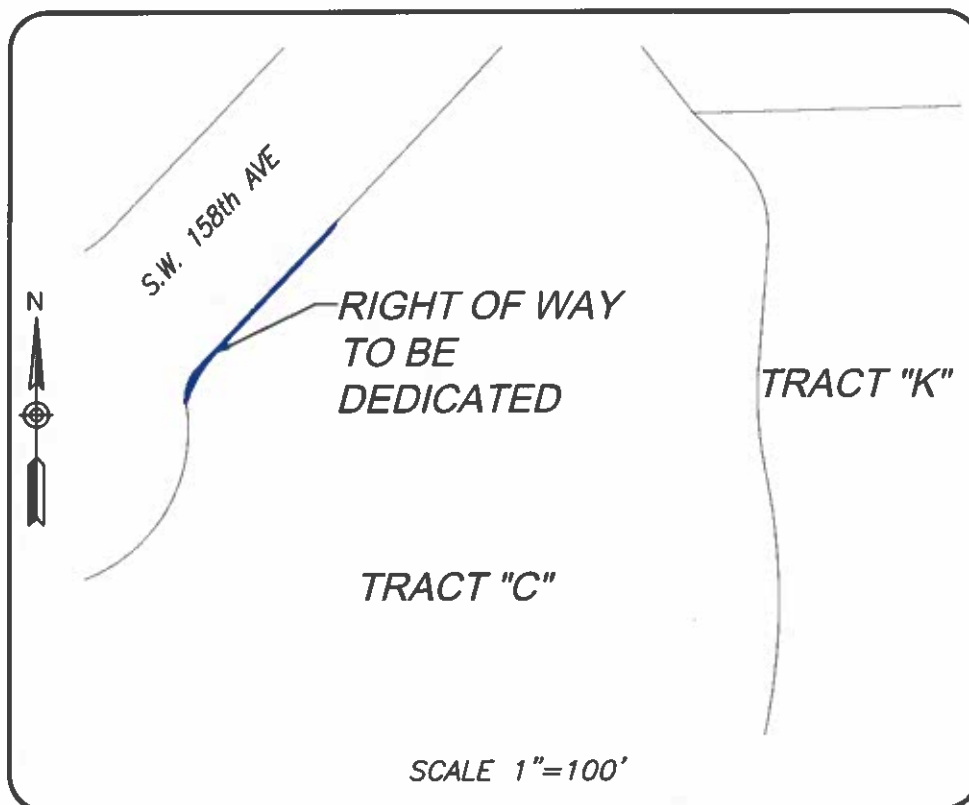
Attested by: _____
Deputy Clerk

Assistant County Attorney

Date

RIGHT-OF-WAY TO BE DEDICATED

A PORTION OF SECTION 05,
TOWNSHIP 55 SOUTH, RANGE 39 EAST
MIAMI-DADE COUNTY, FL



LOCATION MAP

NOTES:

1. PREPARED FOR: AVALON KENDALL, LLC
2. THIS IS NOT A BOUNDARY SURVEY
3. I HEREBY CERTIFY THAT THIS "SKETCH AND LEGAL DESCRIPTION" OF THE PROPERTY DESCRIBED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY DRAWN UNDER MY SUPERVISION AND DIRECTION. THIS SKETCH AND LEGAL DESCRIPTION COMPLIES WITH STANDARDS OF PRACTICE REQUIREMENTS ADOPTED BY THE FLORIDA STATE BOARD OF SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.
4. THE ELECTRONIC SEAL AND SIGNATURE APPEARING ON THIS SKETCH AND LEGAL DESCRIPTION WAS AUTHORIZED BY JOSE G. HERNANDEZ, PROFESSIONAL LAND SURVEYOR NO. 6952 OF THE STATE OF FLORIDA ON APRIL 9, 2025



J. Hernandez & Associates Inc
LAND SURVEYORS AND MAPPERS

CERTIFICATE OF AUTHORIZATION No. LB8092

3300 NW 112th AVE. SUITE 10, DORAL, FL 33172

(P) 305-526-0606 (E) info@jhasurveys.com

DRAWN BY: C.A.F.
DATE: 04/09/25

CHECKED BY: J.G.H.
SHEET 1 OF 3 SHEETS

JOB NUM.: 155539
F.B. N/A

SURVEYOR'S CERTIFICATE

PREPARED UNDER MY SUPERVISION AND DIRECTION:

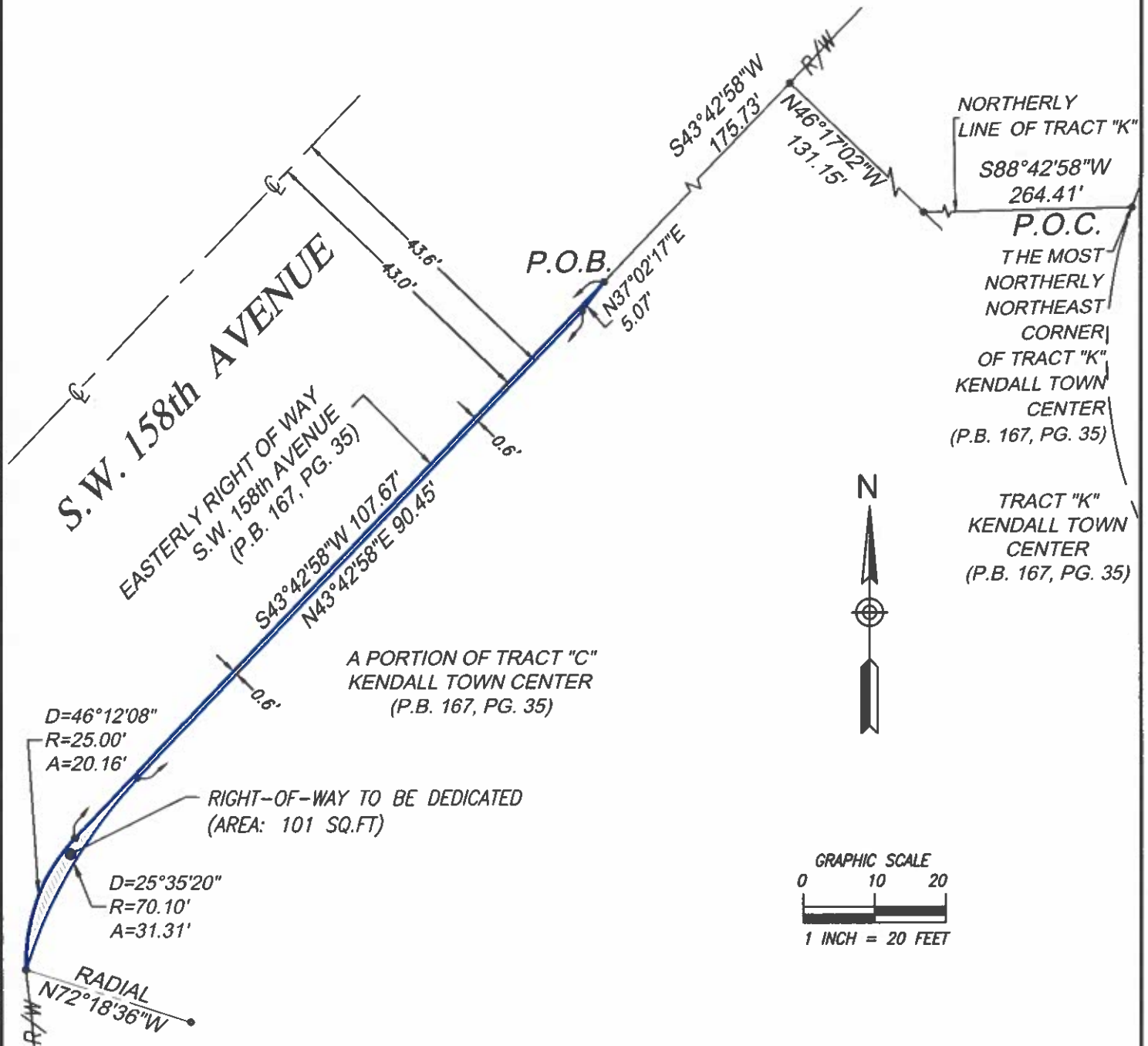
BY:

JOSE G. HERNANDEZ, PRESIDENT

PROFESSIONAL LAND SURVEYOR No. 6952 STATE OF FLORIDA.

MDC007

RIGHT-OF-WAY TO BE DEDICATED SKETCH TO ACCOMPANY LEGAL DESCRIPTION



J. Hernandez & Associates Inc
LAND SURVEYORS AND MAPPERS

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DRAWN BY: C.A.F.
DATE: 04/09/25

CHECKED BY: J.G.H.
SHEET 2 OF 3 SHEETS

JOB NUM.: 155539
F.B. N/A

SURVEYOR'S CERTIFICATE

PREPARED UNDER MY SUPERVISION AND DIRECTION:

BY:

JOSE G. HERNANDEZ, PRESIDENT

PROFESSIONAL LAND SURVEYOR No. 6952 STATE OF FLORIDA.

MDC008

RIGHT-OF-WAY TO BE DEDICATED LEGAL DESCRIPTION TO ACCOMPANY SKETCH

A PORTION OF TRACT C, KENDALL TOWN CENTER, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 167, PAGE 35 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST NORTHERLY NORTHEAST CORNER OF TRACT "K" OF SAID KENDALL TOWN CENTER, AS RECORDED IN PLAT BOOK 167, AT PAGE 35; THENCE RUN; SOUTH 88 DEGREES 42 MINUTES 58 SECONDS WEST, ALONG THE NORTH LINE OF SAID TRACT "K" FOR A DISTANCE OF 264.41 FEET; THENCE NORTH 46 DEGREES 17 MINUTES 02 SECONDS WEST, FOR A DISTANCE OF 131.15 FEET; THENCE SOUTH 43 DEGREES 42 MINUTES 58 SECONDS WEST, ALONG THE EASTERLY RIGHT OF WAY LINE OF S.W. 158th AVENUE, FOR A DISTANCE OF 175.73 TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUE, SOUTH 43 DEGREES 42 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 107.67 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 46 DEGREES 12 MINUTES 08 SECONDS FOR AN ARC OF 20.16 FEET TO A POINT OF CUSP; SAID POINT BEARS OF NORTH 72 DEGREES 18 MINUTES 36 SECONDS WEST FROM RADIUS POINT THE FOLLOWING DESCRIBED CIRCULAR CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 70.10 FEET; THENCE ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 31.31 FEET THROUGH A CENTRAL ANGLE OF 25 DEGREES 35 MINUTES 20 SECONDS TO A NON-TANGENT POINT OF INTERSECTION WITH THE FOLLOWING DESCRIBED LINE; THENCE, NORTH 43 DEGREES 42 MINUTES 58 SECONDS EAST, ALONG A LINE PARALLEL WITH AND 0.60 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE EASTERLY RIGHT OF WAY OF SAID S.W. 158th AVENUE, FOR A DISTANCE OF 90.45 FEET; THENCE, NORTH 37 DEGREES 02 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 5.07 FEET TO THE POINT OF BEGINNING.

SAID PORTION CONTAINING APPROXIMATELY 101 SQUARE FEET.

LEGEND

	DENOTES RIGHT OF WAY TO BE DEDICATED	D	DENOTES CENTRAL ANGLE
	DENOTES CENTER LINE	R	DENOTES RADIUS
	DENOTES RIGHT-OF-WAY LINE	A	DENOTES ARC LENGTH
P.B.	DENOTES PLAT BOOK		
PG.	DENOTES PAGE		
SQ.FT.	DENOTES SQUARE FEET		
P.O.C.	DENOTES POINT OF COMMENCEMENT		
P.O.B.	DENOTES POINT OF BEGINNING		



J. Hernandez & Associates Inc
LAND SURVEYORS AND MAPPERS

CERTIFICATE OF AUTHORIZATION No. LB8092

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SURVEYOR'S CERTIFICATE

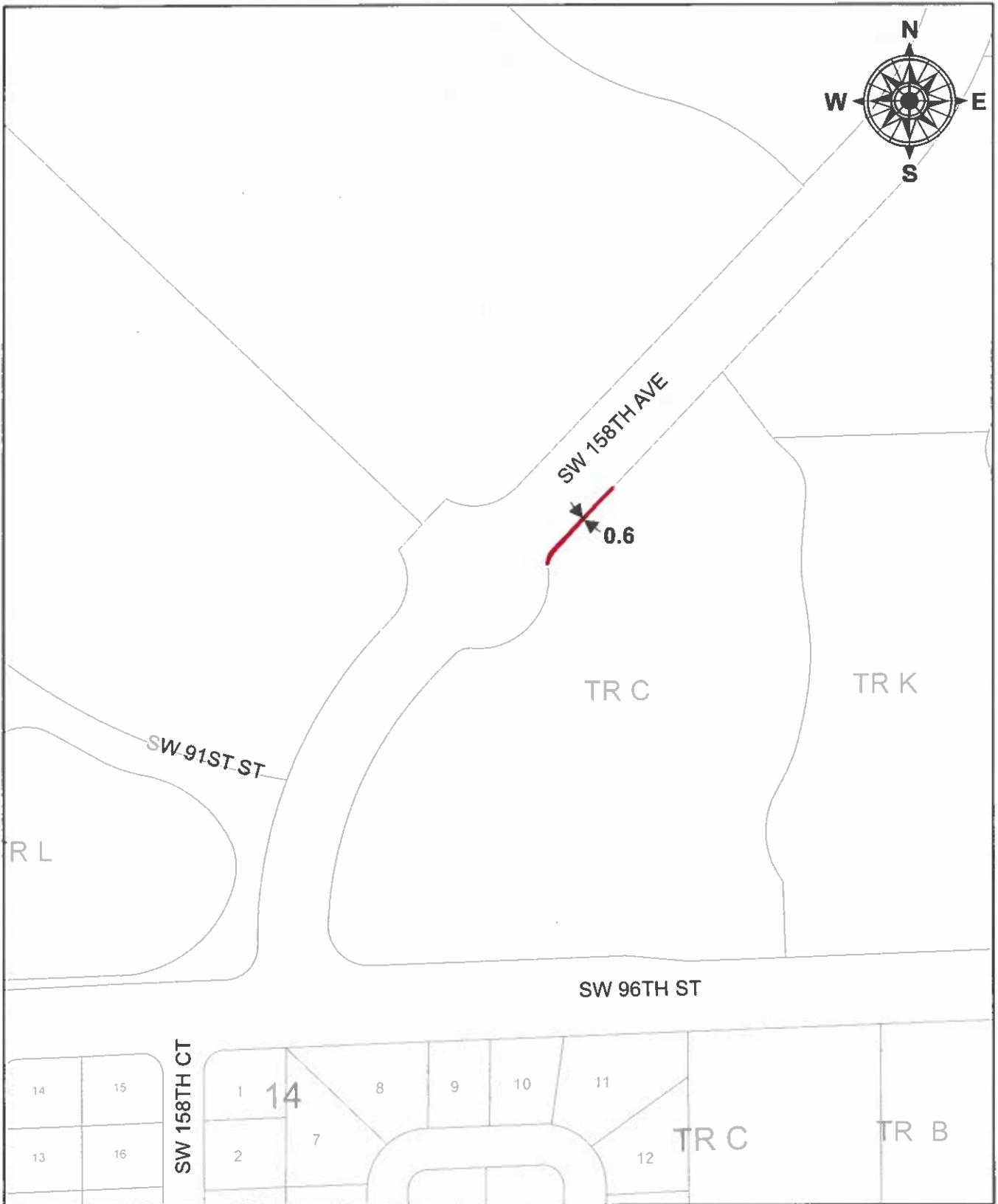
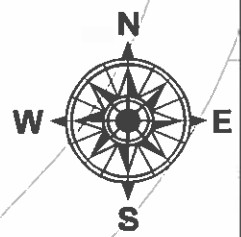
PREPARED UNDER MY SUPERVISION AND DIRECTION:

BY:

JOSE G. HERNANDEZ, PRESIDENT
PROFESSIONAL LAND SURVEYOR No. 6952 STATE OF FLORIDA.

DRAWN BY: C.A.F.	CHECKED BY: J.G.H.	JOB NUM.: 155539
DATE: 04/09/25	SHEET 3 OF 3 SHEETS	F.B. N/A

MDC009



THIS IS NOT A SURVEY

NOT TO SCALE

Folio: 30-5905-029-0031

Name: AVALON KENDALL, LLC

Section: 05-55-39

Municipality: Unincorporated
Commission District 11
Roberto J. Gonzalez

Date: 5-29-2025

Drawn By: A.Santelices



TO BE DEDICATED FOR ROAD RIGHT-OF-WAY

MDC010



MEMORANDUM

(Revised)

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

DATE: November 18, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(1)

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)(1)
11-18-25

RESOLUTION NO. R-1126-25

RESOLUTION ACCEPTING ONE CONVEYANCE OF PROPERTY INTERESTS IN A PORTION OF SW 158TH AVENUE FROM APPROXIMATELY 650 FEET NORTHEAST OF THE CENTERLINE OF SW 96TH STREET NORTHEAST FOR 127 FEET 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, Avalon Kendall, LLC, has tendered an instrument conveying to Miami-Dade County the property interests in a parcel of land at SW 158th Avenue from approximately 650 feet northeast of the centerline of SW 96th Street northeast for 127 feet, 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 **Oliver G. Gilbert, III** , who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** 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	Natalie Milian Orbis	aye
Raquel A. Regalado	aye	Micky Steinberg	aye
District 5 - Vacant			

The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of November, 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

Yuval E. Manor