



Stephen R. Olmsted, AICP
Planning Director
planning@pinecrest-fl.gov

MEMORANDUM
Department of Building and Planning

DATE: December 1, 2022

TO: Yocelyn Galiano, ICMA-CM, LEED-GA
Village Manager

FROM: Stephen R. Olmsted, AICP, LEED-GA
Planning Director

RE: Resolution Accepting Dedication of Right-of-Way
Portion of 9790 SW 67 Avenue – Northwest Corner of Intersection of SW
67 Avenue and SW 98 Street

PETITION REQUEST

Mansions 97 Pinecrest, LLC has prepared a right-of-way deed for the dedication of a portion of property located at 9790 SW 67 Avenue, at the northwest corner of the intersection of SW 67 Avenue and SW 98 Street.

SITE LOCATION

The subject property is located at 9790 SW 67 Avenue, Pinecrest, Florida 33156 within the EU-1, Residential Estate zoning district.



Subject Property



EXISTING CONDITIONS

The subject property is currently undeveloped and permits for construction of a new home have been approved. The existing sidewalk at the northwest corner of SW 67 Avenue and SW 98 Street encroaches on to the private property and the proposed dedication will result in location of the sidewalk within the newly dedicated public right-of-way.

RECOMMENDATION

Staff recommends approval of the Resolution accepting dedication of the right-of-way as identified in the attached Exhibit "A".

RESOLUTION NO. 2022- _____

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA APPROVING AND ACCEPTING A RIGHT-OF-WAY DEED FROM MANSIONS 9790 PINECREST, LLC FOR A PORTION OF 9790 SW 67 AVENUE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Mansions 9790 Pinecrest, LLC, as the owner of the property located at 9790 SW 67 Avenue, has agreed to convey to the Village of Pinecrest (the "Village") a Right-Of-Way Deed for the purposes of a public right-of-way and all purposes incidental thereto in the form attached hereto as Exhibit "A" (the "Deed"); and

WHEREAS, the Village Council wishes to accept the conveyance of the Deed and authorize the Village Manager to expend funds and take all action necessary to accomplish the acquisition of the public right-of-way described in the Deed, including the recording of the Deed and the payment of the pro-rated amount of real property taxes for 2022, if any, on the subject right-of-way; and

WHEREAS, the Village Council finds that acceptance of the Deed is in the best interests of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST FLORIDA AS FOLLOWS:

Section 1. That the Village Council hereby approves and accepts the Deed in substantially the form attached hereto as Exhibit "A," subject to approval by the Village Attorney as to form, content, and legal sufficiency. The Village shall record the Deed in the Official Records of Miami-Dade County, Florida.

Section 2. That the Village Council hereby authorizes the Village Manager to expend funds and take any and all action necessary to effectuate and implement the acquisition and acceptance of the Deed, record the Deed in the Official Records of Miami-Dade County, Florida, and pay the pro-rated amount of real property taxes for 2022, if any, on the subject right-of-way.

Section 3. That this Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 13th day of DECEMBER 2022.

Joseph M. Corradino, Mayor

Attest:

Priscilla Torres, CMC
Village Clerk

Approved as to Form and Legal Sufficiency:

Mitchell Bierman
Village Attorney

Motion by:

Second by:

Vote:

EXHIBIT "A"

THIS INSTRUMENT PREPARED BY AND
AFTER RECORDING RETURN TO:

**VILLAGE ATTORNEY
VILLAGE OF PINECREST
12645 PINCREST PARKWAY
PINCREST FL 33156**

Folio Number(s): 20-5002-000-0950

RIGHT-OF-WAY-DEED

THIS INDENTURE is made this 30th day of September, 2022, between MANSIONS 9790 PINECREST, LLC, a Florida limited liability company, having its principal place of business in the County of Miami-Dade, State of Florida, whose mailing address is 7774 NW 46TH ST, Doral, FL 33166, hereinafter referred to as the Grantor, and the Village of Pinecrest, a Florida municipal corporation, whose mailing address is 12645 Pincrest Parkway, Pinecrest, Florida 33156, of the County of Miami-Dade, in the State of Florida, hereinafter referred to as the Grantee.

WITNESSETH that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to it in hand paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to the Grantee, its heirs, successors and/or assigns in interest, for the purpose of a public highway and/or road and purposes incidental thereto, all right, title, interest, claim or demand of the Grantor, in and to the following described land, situated, lying and being in the County of Miami-Dade and State of Florida, to-wit:

See Exhibit "A" attached hereto and made a part hereof (the "Property").

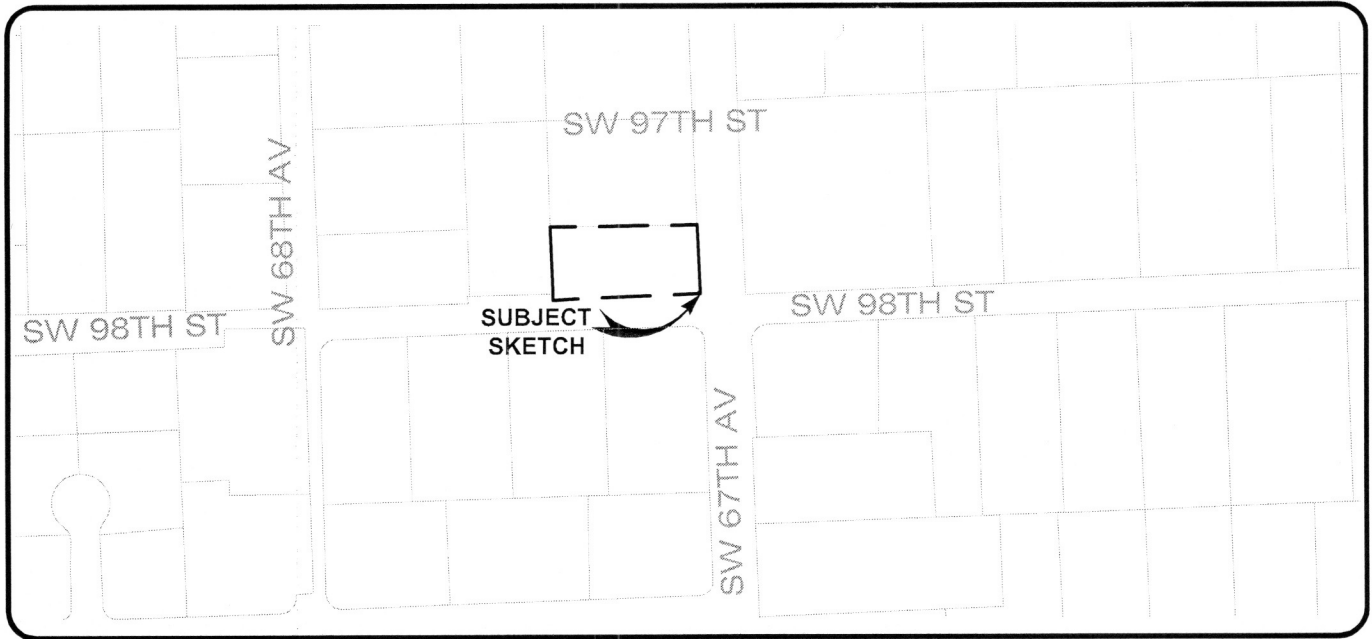
And the Grantor does hereby fully warrant the title to the Property, and will defend the same against the lawful claims of all persons whomsoever.

It is the intention of the Grantor hereto by this instrument to convey to the Grantee, and its heirs, successors and/or assigns in interest, the Property herein described for use as a public right-of-way and for purposes incidental thereto.

TO HAVE AND TO HOLD the Property in fee simple forever.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION RIGHT-OF-WAY DEDICATION

EXHIBIT "A"



LOCATION MAP
(NOT TO SCALE)

PERTINENT INFORMATION USED FOR THE PREPARATION OF THIS DOCUMENT:

The Legal Description of the Subject Parcel was generated from the following documents:

1. Map of Boundary and Tree Survey prepared by Longitude Surveyors, January 28, 2022, Project No.: 21263.0.02

Bearings shown hereon are based upon the Centerline of SW 67 Avenue/Ludlam Avenue, Miami-Dade County, Florida with an assumed bearing of S 02°05'19" E, said line to be considered a well established and monumented line.

EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other than what appears on the underlying Plat of record. Please refer to the Limitations item with respect to possible restrictions of record and utility services.

LIMITATIONS:

Since no other information were furnished other than what is cited above, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on this Sketch or contained within this report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

SURVEYOR'S CERTIFICATE:

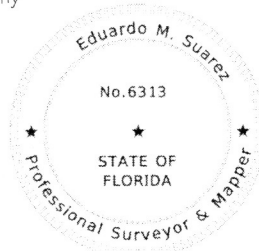
I hereby certify that the LEGAL DESCRIPTION and SKETCH of the subject area described hereon was made under my supervision and that the Legal Description meets the Standards of Practice set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes, and that the sketch hereon is true and correct to the best of my knowledge and belief, subject to notes and notations shown hereon. This sketch shown is not a land survey.

LONGITUDE SURVEYORS LLC., a Florida Limited Liability Company
Florida Certificate of Authorization Number LB7335

Eduardo M Suarez

Digitally signed by Eduardo M
Suarez
Date: 2022.09.15 18:55:52 -04'00'

Eduardo M. Suarez
Professional Surveyor and Mapper No.6313
State of Florida



THIS SKETCH IS NOT A SURVEY

NOTE:

Not valid without the digital signature and seal and/or the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions and deletions to this map of Survey by other than the signing party are prohibited without the written consent of the signing party.

LONGITUDE SURVEYORS

NOTICE: This document is not valid, full and complete without all three (3) pages.

7769 NW 48TH STREET, SUITE 375, DORAL, FLORIDA 33166 * PHONE:(305)463-0912 * FAX:(305)513-5680 * WWW.LONGITUDESURVEYORS.COM
JOB No. 21263.0.03 PAGE 1 OF 3

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION

EXHIBIT "A"

LEGAL DESCRIPTION:

The South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, of Section 2, Township 55 South, Range 40 East, less the West 66 feet thereof and less the East 35 feet thereof and less the South 25 feet thereof, lying and being in Miami-Dade County, Florida.

And less the following area of asphalt pavement that encroaches into the subject property more particularly described as follows;

Beginning at the southeast corner of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 2, Township 55 South, Range 40 East; thence N02°05'19"W along the easterly boundary line of the aforementioned parcel for a distance of 6.77 feet to a point of intersection with a curve concave to the northwest and having a radius of 96.17 feet and to which intersection a radial line bears S06°06'28"E; thence southwesterly 10.25 feet along said curve to a point; thence S38°49'06"E for a distance of 0.93 feet to the intersection with the southerly boundary line of the aforementioned parcel; thence along said southerly boundary line N87°58'37"E to the **Point of Beginning**.

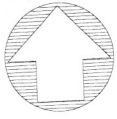
Containing 30 square feet more or less.

THIS SKETCH IS NOT A SURVEY

NOTICE: This document is not valid, full and complete without all three (3) pages.

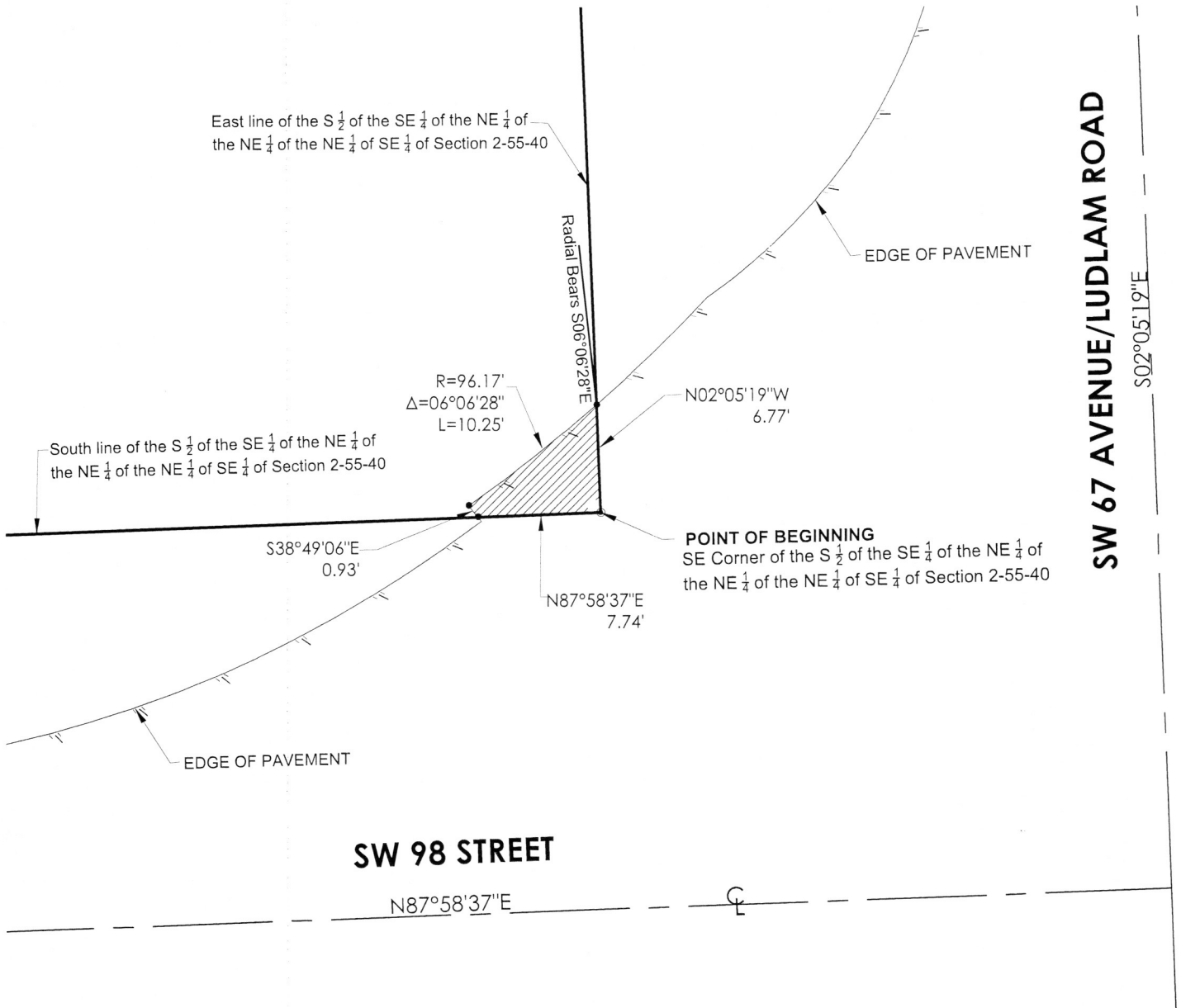
LONGITUDE SURVEYORS

7769 NW 48TH STREET, SUITE 375, DORAL, FLORIDA 33166 * PHONE:(305)463-0912 * FAX:(305)513-5680 * WWW.LONGITUDESURVEYORS.COM
JOB No. 21263.0.03 PAGE 2 OF 3



SKETCH TO ACCOMPANY LEGAL DESCRIPTION RIGHT-OF-WAY DEDICATION

EXHIBIT "A"



LEGEND:

C = CENTERLINE
 Δ = DELTA



SCALE
1" = 10'

THIS SKETCH IS NOT A SURVEY

NOTICE: This document is not valid, full and complete without all three (3) pages.

LONGITUDE SURVEYORS

7769 NW 48TH STREET, SUITE 375, DORAL, FLORIDA 33166 * PHONE:(305)463-0912 * FAX:(305)513-5680 * WWW.LONGITUDESURVEYORS.COM

JOB No. 21263.0.03 PAGE 3 OF 3