

RESOLUTION 2023-3025

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND ACCEPTING DEDICATION BY RIGHT-OF-WAY MAINTENANCE MAP OF A PORTION OF A COMMERCIAL ALLEYWAY BETWEEN N.W. 94TH STREET AND N.W. 96TH STREET BY OPERATION OF LAW IN ACCORDANCE WITH SECTION 95.361, FLORIDA STATUTES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 95.361, Florida Statutes, where it cannot be determined who constructed a roadway, but the roadway has been maintained by a municipality with public funds for the immediately preceding seven (7) years, the road shall be deemed to be dedicated to the public to the extent of the width that has been maintained by the Town of Surfside ("Town"); and

WHEREAS, the Town has maintained that portion of the Commercial Alleyway identified in the attached Right-of-Way Maintenance Map (the "Right-of-Way Maintenance Map") located between 94th Street and 96th Street (Roadway") for more than seven (7) years; and

WHEREAS, pursuant to Section 95.361, Florida Statutes, the dedication to the public vests all rights, title, easement and appurtenances in and to the Roadway in the Town upon the filing of the Right-of-Way Maintenance Map with the office of the Miami-Dade County Clerk of Courts; and

WHEREAS, the Town desires to approve and accept a dedication of the Roadway, by operation of law, as provided for in Section 95.361, Florida Statutes.

NOW, THEREFORE, IT IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SURFSIDE AS FOLLOWS:

Section 1. Recitals Adopted. That the above recitals are true and correct and are hereby adopted and confirmed as a part of this Resolution.

Section 2. Dedication Approved and Accepted. The Town hereby approves and accepts, by operation of law, the dedication of the Roadway, including

those portions of Commercial Alleyway identified in the Right-of-Way Maintenance Map attached hereto as Exhibit "A."

Section 3. Implementation. The Town Mayor, Town Officials, and Town Clerk are authorized to execute any and all documentation and take all action necessary to certify the acceptance of the Roadway dedication, including execution and filing of the Right-of-Way Map with Miami-Dade County, Florida, Clerk of Courts, and implement the purposes of this Resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 12th day of September, 2023.

Motion by: Vice Mayor Rose

Second by: Commissioner Landsman

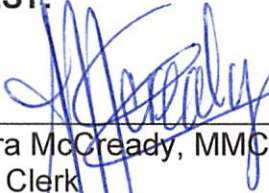
FINAL VOTE ON ADOPTION:

Commissioner Fred Landsman	<u>Yes</u>
Commissioner Marianne Meischeid	<u>Yes</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Vice Mayor Jeffrey Rose	<u>Yes</u>
Mayor Shlomo Danzinger	<u>Yes</u>

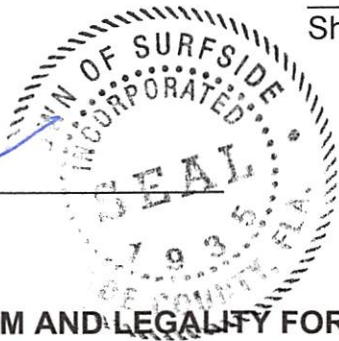


Shlomo Danzinger, Mayor


ATTEST:



Sandra McCready, MMC
Town Clerk



APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:



Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney

LEGAL DESCRIPTION

CERTIFICATION OF ROAD RIGHT OF WAY STATUTORY DEDICATION PURSUANT TO S. 65-361 (2) FLORIDA STATUTE (2023).

WHEREAS THERE HAS EXISTED FOR THE PAST 7 YEARS, AS PUBLIC ROAD RIGHT OF WAY ON PROPERTY LEGALLY DESCRIBED AS FOLLOWS:

THE COMMERCIAL ALLEYWAY AS SHOWN ON THE PLAN OF ALTOB DEL MAR NO. 6 AS RECORDED IN PLAT BOOK 6, PAGE 108 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, WITHIN BLOCKS 3 AND 4, LOCATED BETWEEN 84TH STREET AND 85TH STREET, LESS THE WEST ONE FOOT ADJACENT TO LOTS 13 TO 15, BLOCK 4, AND LESS THE WEST ONE FOOT OF THE NORTH 75 FEET OF THE UNIMBERGED LOT IN THE NORTHWEST QUARTER OF BLOCK 3 OF THE PLAN OF ALTOB DEL MAR NO. 6, AS RECORDED IN PLAT BOOK 6, PAGE 108 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND NORTH 75 FEET, AS RECORDED IN OFFICIAL RECORDS BOOK 3526, PAGE 1354 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LOCATED IN THE TOWN OF SURFSIDE, CONTAINING 0.42 ACRES, MORE OR LESS.

LEGEND

- B = BOUNDARY
- C & O = CURB AND GUTTER
- CL = CENTERLINE
- CONC = CONCRETE
- D = DEED
- E = EASTING
- FD = FOUND
- ID = IDENTIFICATION
- L.B. = LICENSED BUSINESS
- M = MEASURED
- M.D.C.R. = MIAMI-DADE COUNTY RECORDS
- NA = NOT-APPLICABLE
- N = NORTHING
- N.L. = N.A.S.
- NO. = NUMBER
- N.T.S. = NOT TO SCALE
- OFFICIAL RECORD BOOK = OFFICIAL RECORD BOOK
- P = PLAT
- P.B. = PLAT BOOK
- P.E. = PROFESSIONAL ENGINEER
- PG. = PAGE
- PROJ. = PROJECT
- R.O.W. = RIGHT-OF-WAY
- R.O.L. = RANGE
- R.T. = RIGHT
- S.R. = STATE ROAD
- SEC. = SECTION
- ST. = STATION
- TWP. = TOWNSHIP
- TYP. = TYPICAL
- U.E. = UTILITY EASEMENT

SURVEYOR NOTES:

1. ADDITIONS AND/OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, RESTRICTIONS, COVENANTS, CONDITIONS OR OTHER INSTRUMENTS OF RECORD.
3. UNDEGROUND FOUNDATIONS WERE NOT LOCATED OR SHOWN HEREON.
4. THERE IS NO EVIDENCE THAT UNDERGROUND ENCROACHMENTS (E.G., HYDRAULIC AND SUBSURFACE INVESTIGATION WAS PERFORMED TO DETERMINE IF UNDERGROUND ENCROACHMENTS ARE PRESENT).
5. DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMAL PORTIONS THEREOF, UNLESS SHOWN OTHERWISE.
6. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983 / 1980 ADJUSTMENT AND AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHTS OF WAY MAP, STATE ROAD A.I.A., SECTION 8700A, DATED 02/2003, HAVING A REFERENCE BEARING OF NORTH 89°32'27" EAST ALONG THE CENTERLINE OF 84TH STREET.
7. THE EXPECTED HORIZONTAL ACCURACY OF THE FEATURES SHOWN HEREON IS ±0.2' FOR THE LIMITS OF HARD SURFACES, SUCH AS ASPHALT, CONCRETE, CURBS, BULKHEADS, ETC.
8. THE SYMBOLS SHOWN IN THE LEGEND AND ON THIS MAP MAY HAVE BEEN ENLARGED OR REDUCED FOR CLARITY AND MAY NOT DEPICT THE ACTUAL SIZE OR SHAPE OF THE FEATURES. THE EXPECTED HORIZONTAL ACCURACY OF THE SYMBOLS SHOWN ON THIS MAP IS ±0.2' FROM THE CENTER OF THE SYMBOL, UNLESS OTHERWISE NOTED.
9. PRIORITY LINES AND EASEMENTS SHOWN HEREON ARE FOR INFORMATIONAL PURPOSES ONLY UNLESS SPECIFIED OTHERWISE.
10. THE MAINTENANCE RIGHT OF WAY IS 15' THROUGHOUT THE WHOLE PROJECT CORRIDOR UNLESS SPECIFIED OTHERWISE.
11. THIS MAP IS INTENDED TO BE USED AS AN INSTRUMENT FOR CONVEYANCE, DEDICATION OR INFORMATION.
12. TOPOGRAPHIC SURVEY INFORMATION SHOWN HEREON WAS PREPARED BY ICD TECHNOLOGIES, INC.
13. ATTENTION IS DIRECTED TO THE FACT THAT THIS MAP MAY HAVE BEEN ALTERED IN REPRODUCTION; THIS MUST BE CONSIDERED WHEN OBTAINING SCALE DATA.

SHEET INDEX	
SHEET No.	DESCRIPTION
	COVER SHEET
2-4	DETAIL SHEETS

MAINTENANCE ENGINEER CERTIFICATION

THIS IS TO CERTIFY THAT THE LIMITS OF THE ROADWAY AS SHOWN SHADDED ON THIS MAP HAVE BEEN MAINTAINED CONTINUOUSLY FOR SEVEN (7) YEARS IMMEDIATELY PREVIOUS TO THE DEDICATION OR DEDICATION FOR A PORTION OF COMMERCIAL ALLEYWAYS LOCATED BETWEEN 84TH STREET AND 85TH STREET AND 86TH STREET IN THE TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA. THE ABOVE REFERENCED RIGHT-OF-WAY IS NOT CURRENTLY ON THE AS SHOWN TAX ROLLS FOR MIAMI-DADE COUNTY, FLORIDA AND, NOW, THEREFORE, THIS MAP IS BEING RECORDED PURSUANT TO S. 65-361 (2)(b), TO INDICATE THAT SO MUCH STATUTE THAT THE RIGHT OF WAY EASEMENT IS DEEMED DEDICATED TO THE PUBLIC AND THAT SUCH DEDICATION OF RIGHTS ALL RIGHT, TITLE, EASEMENT, AND APPURTENANCES AND TO SUCH ROAD IN THE TOWN OF SURFSIDE, FLORIDA.

RANDY STOKES
DIRECTOR OF PUBLIC WORKS
8233 HARDING AVENUE
SURFSIDE, FL 33154

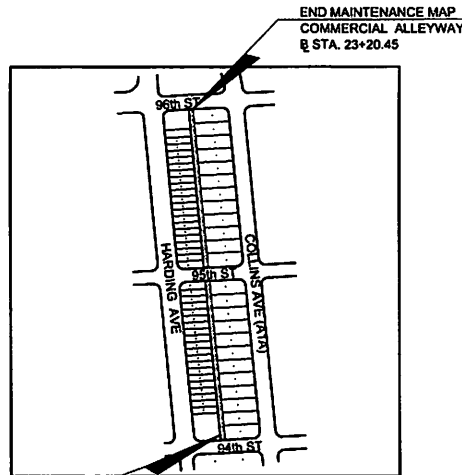
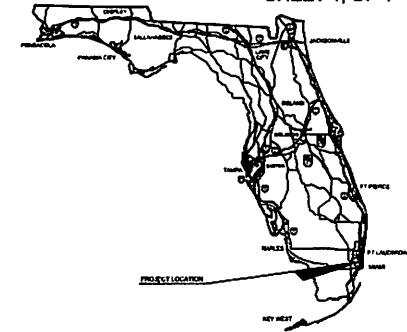
TOWN OF SURFSIDE

**MAINTENANCE MAP
SPECIFIC PURPOSE SURVEY**

COMMERCIAL ALLEYWAY

LOCATED BETWEEN 94TH STREET AND 96TH STREET

TOWN OF SURFSIDE
MIAMI-DADE COUNTY, FLORIDA



BEGIN MAINTENANCE MAP
COMMERCIAL ALLEYWAY
R STA. 10+00.00

LOCATION MAP
NOT TO SCALE

SURVEYOR'S CERTIFICATION

THIS SURVEY WAS PERFORMED FOR THE SPECIFIC PURPOSE OF ESTABLISHING A SURVEY LINE AND LOCATING THE LIMITS OF MAINTAINED RIGHT OF WAY AS IDENTIFIED BY THE MAINTENANCE ENGINEER FOR THE TRANSPORTATION FACILITY SHOWN AND DEFINED HEREON. I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS IS A TRUE, ACCURATE AND COMPLETE DESCRIPTION OF A FIELD SURVEY PERFORMED UNDER MY DIRECTION AND COMPLETED ON 11/16/2023. I FURTHER CERTIFY THAT SAID DRAWING IS IN COMPLIANCE WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, IN CHAPTER 6A-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 473.27, FLORIDA STATUTES.

DJULIAMEN B. HOYLE
PROFESSIONAL SURVEYOR AND MAPPER NO. 6769
ICD TECHNOLOGIES, INC. LB 8901
1433 W. CYPRESS CREEK ROAD, SUITE 101
FORT LAUDERDALE, FL 33309
(954) 778-1819
DATE:

NOT VALID WITHOUT SIGNATURE AND ORIGINAL RASSED SEAL.

RIGHT-OF-WAY LIMITS DETERMINED FROM PLATS OF RECORD, FIELD SURVEY OF EXISTING IMPROVEMENTS, AND RECORD TITLE.

THIS MAINTENANCE MAP IS SUPPORTED BY FIELD SURVEY DATED 11/16/2023, UNDER THE RESPONSIBLE CHARGE OF DJULIAMEN B. HOYLE, PROFESSIONAL SURVEYOR AND MAPPER NO. 6769, ICD TECHNOLOGIES, INC. LB 8901, 1433 W. CYPRESS CREEK ROAD, SUITE 101, FORT LAUDERDALE, FL 33309.

MAINTENANCE MAP CERTIFICATION

THE FOREGOING STATEMENTS AND MAP OF WHICH THIS CERTIFICATION IS PART IS HEREBY DULY CERTIFIED BY THE TOWN OF SURFSIDE, ACTING THROUGH ITS MAYOR, TOWN CLERK, AND DIRECTOR OF PUBLIC WORKS. IN EXECUTING THIS CERTIFICATION, I HEREBY CERTIFY THAT THE FOREGOING STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF THEIR RESPECTIVE PERSONAL KNOWLEDGE.

WHEREAS, THE REFERENCED RIGHT-OF-WAY IS PART OF THE CITY STREET SYSTEM, AND, WHEREAS, THE REFERENCED RIGHT-OF-WAY IS NOT CURRENTLY ON THE AD VALOREM TAX ROLLS FOR MIAMI-DADE COUNTY, FLORIDA AND, NOW, THEREFORE, THIS MAP IS BEING RECORDED PURSUANT TO S. 65-361 (2) (2)(b), TO INDICATE THAT TO SUCH STATUTE THAT THE RIGHT OF WAY BEING DEDICATED TO THE PUBLIC AND THAT SUCH DEDICATION OF RIGHTS ALL RIGHT, TITLE, EASEMENT, AND APPURTENANCES IN AND TO SUCH ROAD IN THE TOWN OF SURFSIDE, FLORIDA.

TOWN OF SURFSIDE

BY: SHILOAH DANCIGER, MAYOR
8233 HARDING AVENUE
SURFSIDE, FL 33154

ATTEST:

BY: SANDRA H. MCGREADY, TOWN CLERK
8233 HARDING AVENUE
SURFSIDE, FL 33154

CLERK OF COURT CERTIFICATION

THIS IS TO CERTIFY THAT SHEETS SHADDED TO INDICATE CONTRIBUTIVE TITLE COPY OF THE TOWN OF SURFSIDE MAINTENANCE MAP ON A PORTION OF COMMERCIAL ALLEYWAYS LOCATED BETWEEN 84TH STREET AND 85TH STREET AND 86TH STREET IN THE TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA.

THE PROPERTY LABELED MAINTENANCE LINE ON SAID SHEETS HAS BEEN VESTED IN THE TOWN OF SURFSIDE PURSUANT TO THE PROVISION OF SECTION 65.361, FLORIDA STATUTES.

IN WITNESS WHEREOF, WE HAVE HERETO SET OUR HANDS AND AFFIXED THE SEAL OF THE TOWN OF SURFSIDE AT _____ FLORIDA, THIS _____ DAY OF _____ A.D. 20____.

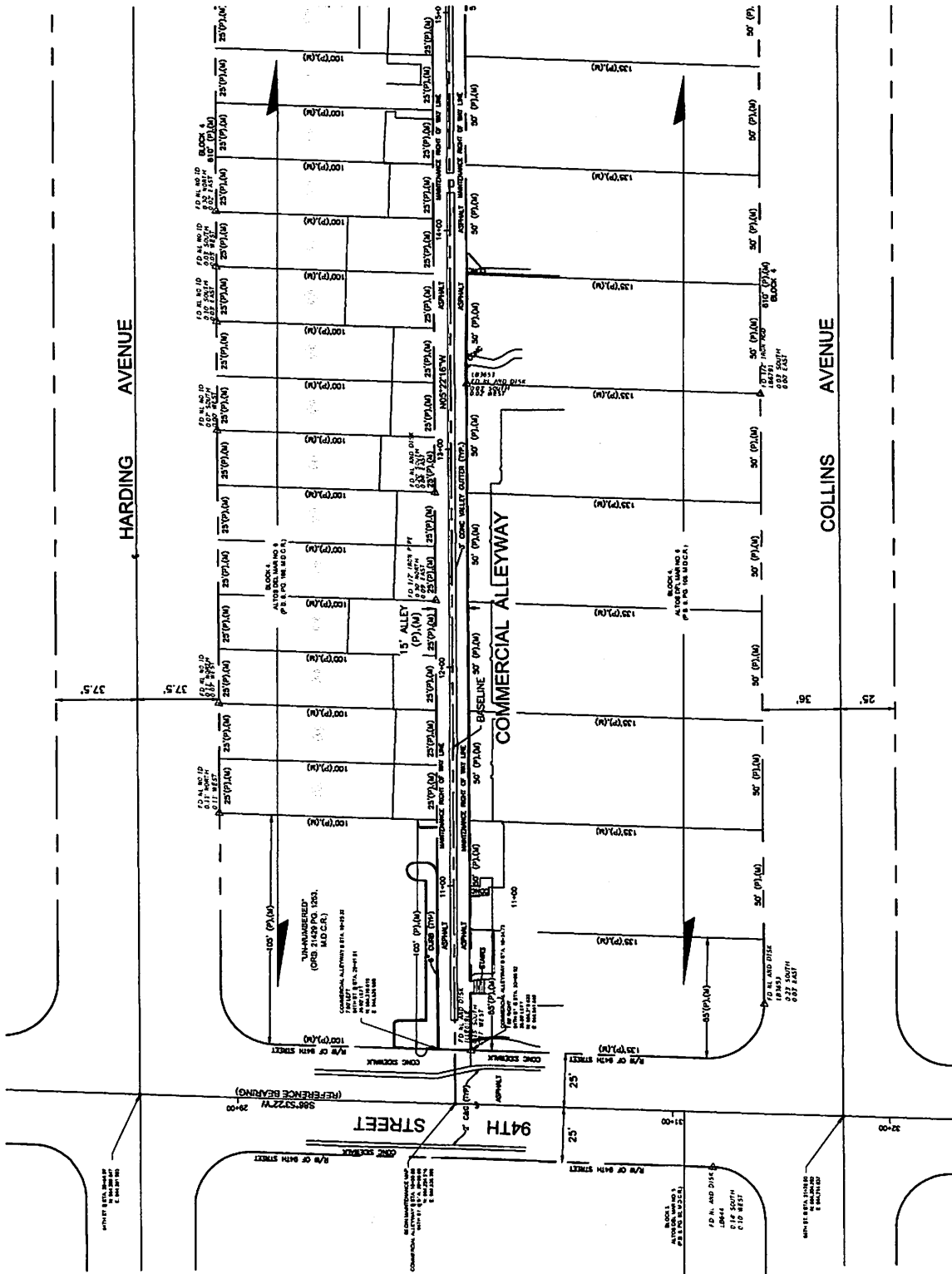
TOWN SECRETARY
TOWN OF SURFSIDE

(INITIALS)

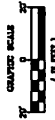
COMMERCIAL ALLEYWAY BETWEEN 94TH STREET AND 96TH STREET

TOWN OF SURFSIDE		TOWN OF SURFSIDE		TOWN OF SURFSIDE	
PUBLIC WORKS DEPARTMENT		PUBLIC WORKS DEPARTMENT		PUBLIC WORKS DEPARTMENT	
MAINTENANCE MAP	COMMERCIAL ALLEYWAY	MAINTENANCE MAP	COMMERCIAL ALLEYWAY	MAINTENANCE MAP	COMMERCIAL ALLEYWAY
MIAMI-DADE COUNTY	MIAMI-DADE COUNTY	MIAMI-DADE COUNTY	MIAMI-DADE COUNTY	MIAMI-DADE COUNTY	MIAMI-DADE COUNTY
PROJ. NO. 432021474.01	PROJ. NO. 432021474.01	PROJ. NO. 432021474.01	PROJ. NO. 432021474.01	PROJ. NO. 432021474.01	PROJ. NO. 432021474.01
SHEET 1 OF 4		SHEET 1 OF 4		SHEET 1 OF 4	

NORTH
SEC. 9, TWP. 63 S., R. 42 E.
7-23

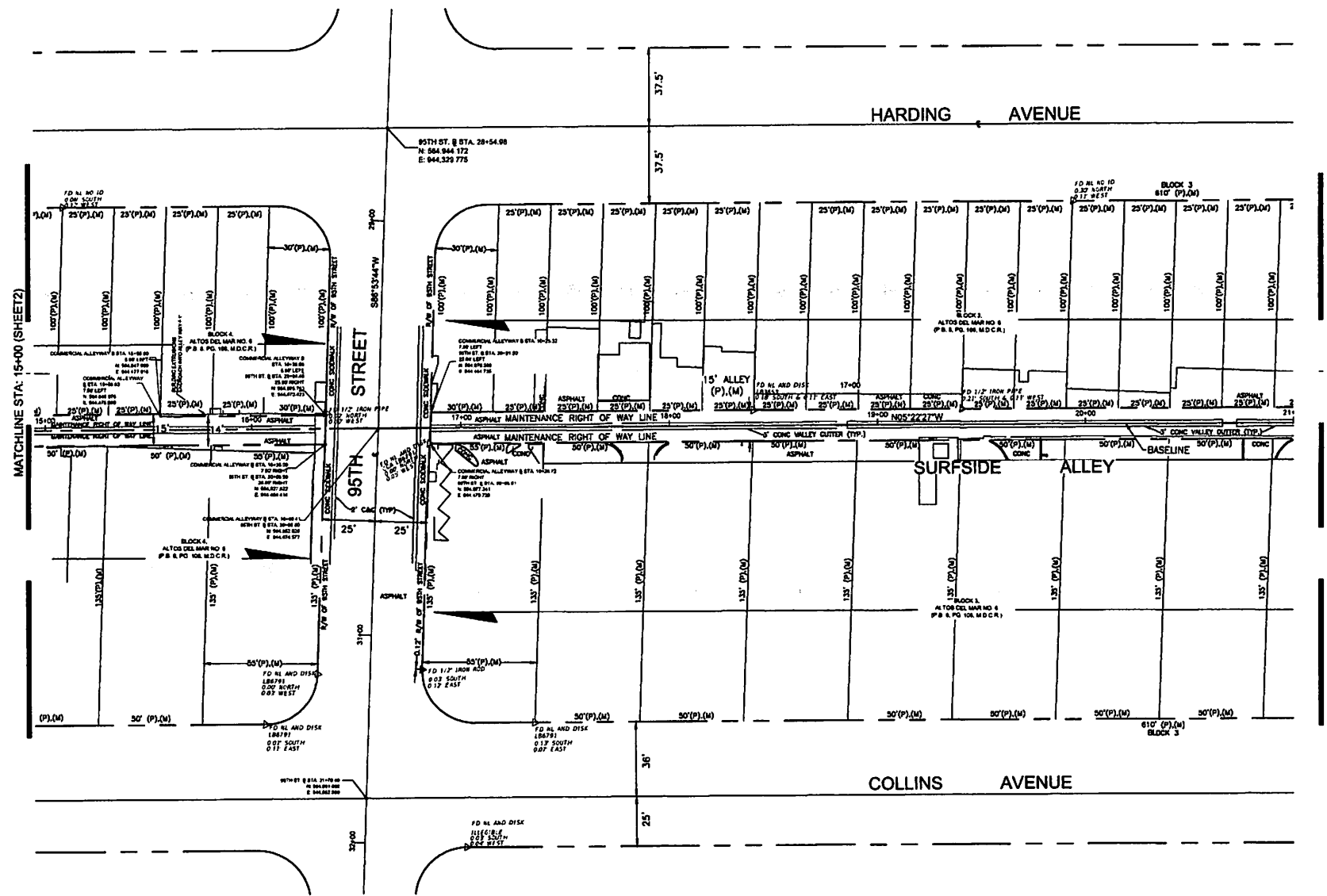


MATCHLINE STA. 15+00 (SHEET 3)



MAINTENANCE MAP		TOWN OF SURPRISE PUBLIC WORKS DEPARTMENT		COMMERCIAL ALLEYWAY		MANAHOUS COUNTY		SHEET 2 OF 4	
LOT NO.	AREA	ACRES	OWNER	OWNER	OWNER	OWNER	OWNER	OWNER	OWNER
101	0.12	0.12							
102	0.12	0.12							
103	0.12	0.12							
104	0.12	0.12							
105	0.12	0.12							
106	0.12	0.12							
107	0.12	0.12							
108	0.12	0.12							
109	0.12	0.12							
110	0.12	0.12							
111	0.12	0.12							
112	0.12	0.12							
113	0.12	0.12							
114	0.12	0.12							
115	0.12	0.12							
116	0.12	0.12							
117	0.12	0.12							
118	0.12	0.12							
119	0.12	0.12							
120	0.12	0.12							
121	0.12	0.12							
122	0.12	0.12							
123	0.12	0.12							
124	0.12	0.12							
125	0.12	0.12							
126	0.12	0.12							
127	0.12	0.12							
128	0.12	0.12							
129	0.12	0.12							
130	0.12	0.12							
131	0.12	0.12							
132	0.12	0.12							
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136	0.12	0.12							
137	0.12	0.12							
138	0.12	0.12							
139	0.12	0.12							
140	0.12	0.12							
141	0.12	0.12							
142	0.12	0.12							
143	0.12	0.12							
144	0.12	0.12							
145	0.12	0.12							
146	0.12	0.12							
147	0.12	0.12							
148	0.12	0.12							
149	0.12	0.12							
150	0.12	0.12							

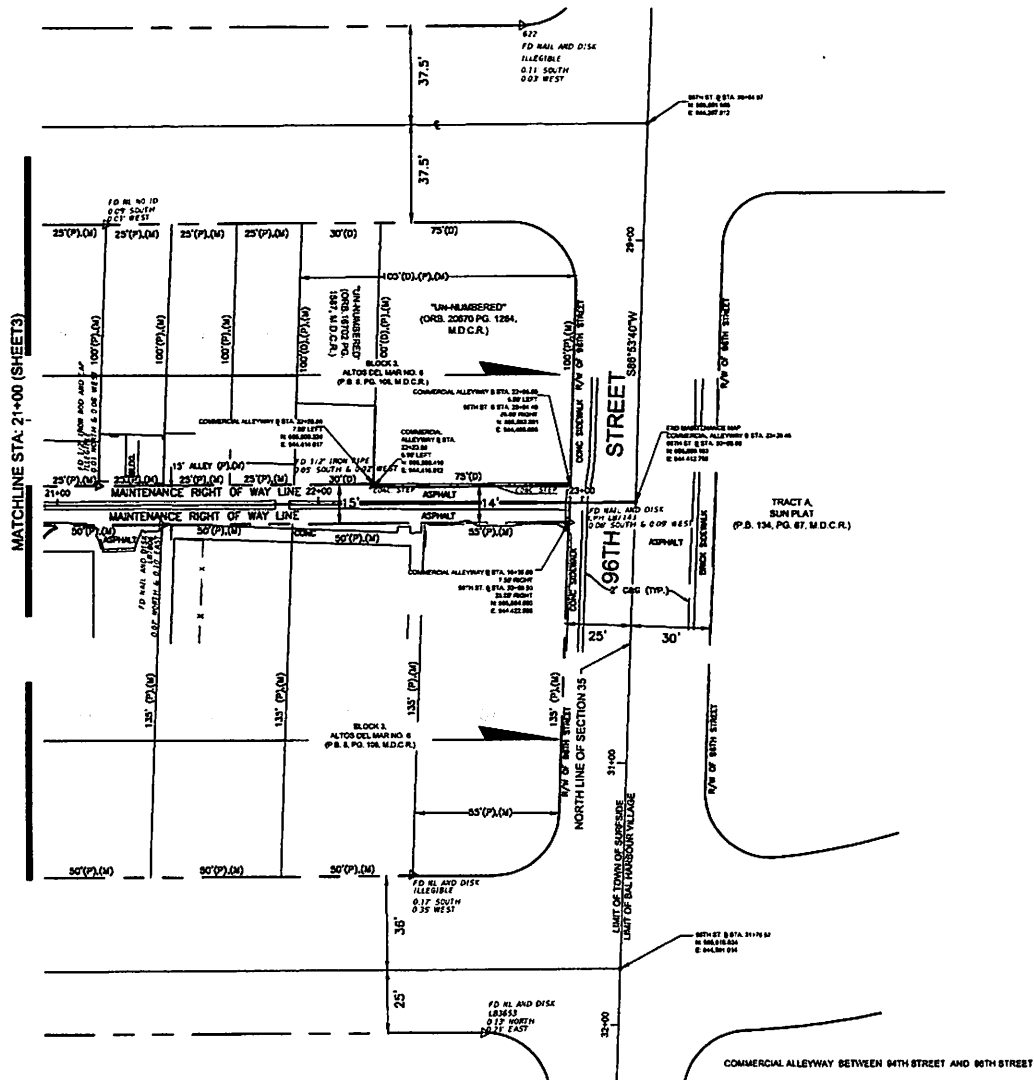
NORTH
SEC. 35, TWP. 53 S., RDE. 42 E
1" = 20'



MAINTENANCE MAP TOWN OF SURFSIDE PUBLIC WORKS DEPARTMENT	PROJECT NO. 482021474.01 SHEET 3 OF 4	
	PROJECT NO. 482021474.01 SHEET 3 OF 4	PROJECT NO. 482021474.01 SHEET 3 OF 4

Z:\Projects\482021474.01\Surfside\Underground\Phase\SUBURVE\CAD\Surfside_Commercial\Ablay_Maintenance_Map.dwg

NORTH
SEC. 33, TWP. 52 S., RGE. 42 E
1" = 20'



MAINTENANCE MAP	TOWN OF SURFSIDE PUBLIC WORKS DEPARTMENT	REVISION		BY		DATE		TOWN OF SURFSIDE		PROJECT NO.		SHEET 4 OF 4	
COMMERCIAL ALLEYWAY BETWEEN 96TH STREET AND 97TH STREET								MIAMI-DADE COUNTY		PROJ. NO. 482021474.01		SHEET 4 OF 4	

J:\Projects\482021474.01 Surfside Underground Plans\SURFSIDE\TCAD\Surfside_Comm_Ally_Mainten_Map.dwg