

**OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA**

**Memorandum**



**Date:** January 22, 2009

**To:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

Agenda Item No. 8(E)(1)(C)

**From:** George M. Burgess  
County Manager

**Resolution No. R-32-09**

**Subject:** Resolution Authorizing Release of Surplus Tax Deed 06-361 Sale Proceeds

**Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing release of Surplus Tax Deed 06-361 sale proceeds in the amount of \$234,364.80 to Carrie Berger Rosenthal, Trustee, who was the titleholder on the date of the above-referenced sale and is entitled to the resulting proceeds.

**Scope**

The attached resolution authorizes release of surplus tax deed sale proceeds in accordance with provisions of the Florida Statutes.

**Fiscal Impact/Funding Source**

There is no fiscal impact to the County. All property taxes owed were collected at the time of tax certificates being sold and/or at time of the tax deed sale. Surplus funds are paid from net proceeds of the tax deed sale.

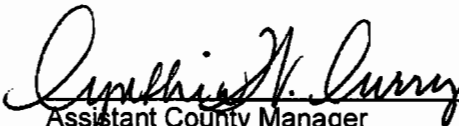
**Background**

Miami-Dade County presently holds \$234,364.80 in excess proceeds from the sale of a tax deed for delinquent taxes on or about November 2, 2006 on a property described as follows:

Folio No. 28-2202-028-0630  
Mystic Pointe Tower 400 Condominium  
Unit 2802 Undiv 0.29725 Int In  
Common Elements F/A/U 30-2202-028-0630

Pursuant to Section 197.582, Florida Statutes, said excess undistributed funds are retained for the benefit of the person who, on the date of the sale, was the titleholder of record and for lien holders.

Accordingly, it is recommended that the surplus funds be released to Carrie Berger Rosenthal, Trustee, pursuant to the attached Resolution.

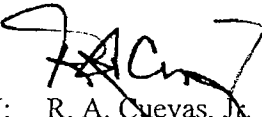
  
Assistant County Manager



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners


**DATE:** January 22, 2009

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 8(E)(1)(C)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved  Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(E)(1)(C)  
1-22-09

**RESOLUTION NO. R-32-09**

RESOLUTION AUTHORIZING RELEASE OF  
SURPLUS TAX DEED 06-361 SALE PROCEEDS IN  
THE AMOUNT OF \$234,364.80 TO CARRIE BERGER  
ROSENTHAL, TRUSTEE

**WHEREAS**, the Clerk of the Circuit Court issued a tax deed for delinquent taxes  
upon the following described real property on or about November 2, 2006; and

Folio No. 28-2202-028-0630

MYSTIC POINT TOWER 400 CONDOMINIUM  
UNIT 2802 UNDIV 0.29725 INT IN  
COMMON ELEMENTS F/A/U 30-2202-028-0630

**WHEREAS**, as a result of the said tax deed sale, there exists a net excess of  
funds in the amount of \$234,364.80 currently held by the Miami-Dade County Board of  
County Commissioners; and

**WHEREAS**, pursuant to Section 297.582, Florida Statutes, the said excess  
undistributed funds are retained for the benefit of the person who, on the date of the sale,  
was the titleholder of record for lienholders; and

**WHEREAS**, on the date of the above referenced sale, CARRIE BERGER  
ROSENTHAL, TRUSTEE was a titleholder and is entitled to the excess proceeds  
resulting therefrom,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the Finance  
Director is hereby authorized and directed to deliver to the Clerk of the Circuit Court the  
said surplus tax deed sale proceeds in the amount of \$234,364.80, and the Clerk of the

Circuit Court is authorized and directed to disburse this \$234,364.80 to Carrie Berger Rosenthal, Trustee at 340 N.E. 80th Street, Apt 16F, New York, N.Y. 10075.

The foregoing resolution was offered by Commissioner **Katy Sorenson** who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	<b>aye</b>		
Jose "Pepe" Diaz, Vice-Chairman	<b>aye</b>		
Bruno A. Barreiro	<b>aye</b>	Audrey M. Edmonson	<b>absent</b>
Carlos A. Gimenez	<b>aye</b>	Sally A. Heyman	<b>aye</b>
Barbara J. Jordan	<b>aye</b>	Joe A. Martinez	<b>aye</b>
Dorrian D. Rolle	<b>aye</b>	Natacha Seijas	<b>aye</b>
Katy Sorenson	<b>aye</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>aye</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 22<sup>nd</sup> day of January, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **Kay Sullivan**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Scott Fabricius