

Memorandum



Date: October 19, 2004

Agenda Item No. 7(F)(1)(D)

To: Honorable Chairperson Barbara Carey-Shuler, ED. D
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of George M. Burgess.

Subject: Conveyance of County-owned Property located at 1200 NW139 Street to
Dade Memorial Park, Inc.
Folio: 30-2123-000-0221

At the July 20, 2004 Governmental Operations and Environment Committee meeting the Committee members requested that language be added to the County Deed stating that the property was being conveyed AS IS and that Dade Memorial Park was assuming all liability as it related to the environmental condition of the property. The County Deed has been revised and is attached for your reference.

RECOMMENDATION:

It is recommended that the Board adopt the attached resolution authorizing the conveyance of county-owned property to Dade Memorial Park, Inc. pursuant to the reverter clause in the special warranty deed; and authorizing execution of a County Deed.

MANAGING DEPARTMENT: General Services Administration (GSA)

FOLIO NUMBER: 30-3123-000-0221

PROPERTY SIZE: .769 AC / 33,497 square feet ±.

LOCATION: 1200 NW 139 Street (see attached sketch)

DATE ACQUIRED: March 22, 1985

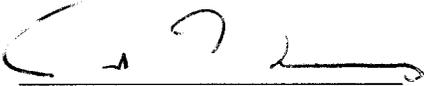
ZONING: Unzoned

PROPERTY VALUE: Assessed Market Value: \$9,997.00

BACKGROUND: On March 22, 1985 Dade Memorial Park, Inc. conveyed to Miami-Dade County, by Special Warranty Deed OR# 201-3067, the above-referenced property with the restriction that it be used for a trash transfer station. The Special Warranty Deed expressly provides that if and when the land ceases to be used for such public purpose, then the party of the first part, its successors and assigns, shall have the right to re-renter and re-posses same. The trash

Honorable Chairperson Barbara Carey-Shuler Ed.D.
and Members, Board of County Commissioners
Page 2

transfer station was closed a few years ago, and Dade Memorial Park, Inc. has asked that the property be conveyed back to them. The Department of Solid Waste has indicated that they have no interest in reopening the trash transfer station. Attached is a copy of a letter from Dade Memorial Park, Inc. This property was found not suitable for Infill or Affordable housing and was released to GSA on June 8, 2004.



Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: October 19, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(F)(1)(D)

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. 7(F)(1)(D)
10-19-04

RESOLUTION NO. _____

RESOLUTION AUTHORIZING MIAMI-DADE COUNTY TO CONVEY THIS COUNTY-OWNED PROPERTY LOCATED AT 1200 NW 139TH STREET, MIAMI TO DADE MEMORIAL PARK, INC, PURSUANT TO THE REVERTER CLAUSE IN THE SPECIAL WARRANTY DEED TO MIAMI-DADE COUNTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, This Board desires to accomplish the purposes outlined in the accompanying Memorandum, for the property described in the accompanying County Deed, copies of which are incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board authorizes the County Manager to convey this County-owned property located at 1200 NW 139th Street, Miami to Dade Memorial Park, Inc. pursuant to the reverter clause in the special warranty deed to Miami-Dade County dated March 22, 1985; and authorizes the Mayor to execute a County Deed for such purpose.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____

And upon being put to a vote, the vote was as follows:

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Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of October, 2004. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

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

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.

Thomas Goldstein



By: _____
Deputy Clerk

Instrument prepared under the direction of
Thomas Goldstein, Assistant County Attorney:
111 N.W. 1 Street, 28 Floor
Miami, Florida 33128-1907

Folio No.: 30-3123-000-0221

COUNTY DEED

THIS DEED, made this day of , 2004 A.D. by MIAMI-DADE COUNTY, FLORIDA, a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 N.W. 1 Street Suite 17-202, Miami, Florida 33128-1963, and , party of the second part, whose address is , Florida .

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Dollars and no/100 (\$) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Dade County, Florida:

LEGAL DESCRIPTION

EXHIBIT "A"

Miami-Dade County is conveying and Dade Memorial Park, Inc. is accepting the above described property in its existing "As Is" condition; and Dade Memorial Park, Inc. assumes solely and completely all financial responsibility and liability for the existing conditions including, but not limited to, the existing environmental conditions of said property, which Dade Memorial Park, Inc. acknowledges was formerly operated by Miami-Dade County as a trash transfer station site.

This grant conveys only the interest of the County and its Board of County Commissioners in the

property herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Mayor

Approved for legal sufficiency. _____

The foregoing was authorized and approved by Resolution No. R-_____ of the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 2004.

By: _____
Dade Memorial Park, Inc.

accept the property in its 'As Is' condition.



1301 N.W. 136th Street
North Miami, Florida 33167
(305) 685-8378

Robert Hernandez

November 25, 2003

Honorable Betty T. Ferguson
Miami Dade County Board of Commissioners
111 North West 1st Street, suite 220
Miami, Florida 33128-1963

Request for Assistance – Acquisition of Adjacent Property

Re: folio number 30-2123-000-0221

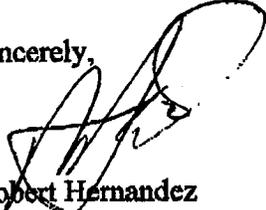
Dear Commissioner Ferguson,

I respectfully request your assistance in obtaining vital parcel of land adjacent to our property. I am writing to you on behalf of our cemetery, Dade Memorial Park. Next to Dade Memorial there is a small parcel of land, which at one time was owned by our cemetery. Since then, it is my understanding; the parcel was given to the county, for the use of the Dade County Solid Waste Department. The property has not been used for the purpose it was developed for over two years.

Dade Memorial has an interest in purchasing this parcel from the county. Limited land space in our area has become a growing concern for our future growth, development and service to our community. Though we have reserved a small portion of land for mausoleum entombments, the majority of the families we serve prefer ground burial for their final resting place.

Dade Memorial has been serving our community for over fifty years. We intend to continue providing excellent service to those families whom entrust their loved ones to us. We would be very appreciative for any assistance you can provide us in the process of our intended purchase.

Sincerely,



Robert Hernandez
General Manager

RECEIVED
DEC 01 2003
COMMISSIONER
BETTY FERGUSON

MIAMI-DADE COUNTY, FLORIDA



STEPHEN P. CLARK CENTER

GENERAL SERVICES ADMINISTRATION
OFFICE OF THE DIRECTOR
SUITE 2410
111 N.W. 1st STREET
MIAMI, FLORIDA 33128-1979
(305) 375-4513
FAX (305) 375-4968

January 28, 2004

Mr. Robert Hernandez
Dade Memorial Park
1301 NW 136 Street
North Miami, FL 33167

RE: Folio Number 30-2123-000-0221

Dear Mr. Hernandez:

I am responding to your letter to the Honorable Betty T. Ferguson whereby you express interest in purchasing the above-referenced County-owned property. I have been advised by the Department of Solid Waste Management that they have no interest in establishing a re-use of the property and, therefore, have no objection to it being sold. In light of this, they have authorized the Department of General Services Administration (GSA) to proceed with the sale of this property.

This project has been assigned to GSA's Real Estate Section. Please call Ms. Elva Marin, Real Estate Manager, to discuss the land sale process. She can be reached at 305-375-5754.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bernard McGriff'.

Bernard McGriff
Director

c: Honorable Betty T. Ferguson, Commissioner
Corinne L. Brody, Special Assistant, Strategic Management Initiatives, CMO

CMO Log # 122473

GENERAL SERVICES ADMINISTRATION
Correspondence/Document Delivery Verification Sheet

CORRESPONDENCE SUBJECT: Letter to Robert Hernandez re: Folio Number 30-2123-000-0221

ADDRESSEE	RECEIVED BY:	DATE/TIME	COMMENTS
Mayor Alexander Penelas			
Commissioner Betty T. Ferguson	<i>[Signature]</i>	01/28/04 11:15 AM	
Commissioner Dorrin D. Rolle			
Dr. Barbara Carey-Shuler, Chairperson			
Commissioner Sally A. Heyman			
Commissioner Bruno A. Barreiro			
Commissioner Rebeca Sosa			
Commissioner Jimmy L. Morales			
Commissioner Katy Sorenson			
Commissioner Dennis C. Moss			
Senator Javier D. Souto			
Commissioner Joe A. Martinez			
Commissioner Jose "Pepe" Diaz			
Commissioner Natacha Seijas			

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SPECIAL WARRANTY DEED
(Corporation)

THIS INDENTURE made this 22nd day of March, A.D. 1985
between DADE MEMORIAL PARK, INC.

_____ a corporation organized
and existing under the laws of the State of Florida, having its principal place
of business in the City of Miami, County of Dade
State of Florida, as party of the first part, and the County of Dade, a body
corporate and a political subdivision of the State of Florida, and its successors in interest, as party of the
second part

WITNESSETH That the party of the first part, for and in consideration of the sum of One Dollar and
other valuable considerations paid, receipt of which is hereby acknowledged, has granted, bargained, sold
and conveyed and does hereby grant, bargain, sell and convey to the party of the second part, its successors
and assigns forever the following described land, situate, lying and being in the County of Dade, State of
Florida, to-wit:

The North 335.00 feet of the West 100.00 feet of the East 226.04 feet
of the SE 1/4 of the SW 1/4 of Section 23, Township 32 South, Range 41
East, Dade County, Florida;

AND

The South 25.00 feet of the West 100.00 feet of the East 226.04 feet
of the NE 1/4 of the SW 1/4 of said Section 23.

Subject to existing utilities.

It is the intention of the party of the first part by this instrument to convey
to the said County, and its successors in interest, the land above described for
use for trash transfer station only.

It is expressly provided that if and when the land above described shall cease
to be used for such public purpose, then the party of the first part, its
successors and assigns, shall have the right to re-enter and re-possess the same.

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereto be-
longing or in anywise incident or appertaining, forever, and the party of the first part will defend the title
thereof against all persons claiming by, through, or under the said party of the first part.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be duly executed in
its name by its President, and its corporate seal to be hereto affixed, attested by its Secretary, the date first
above written.

Sign of said Land delivered
in the presence of

WITNESS

WITNESS

DADE MEMORIAL PARK, INC.

BY Thomas B. [Signature] President

ATTEST [Signature] Secretary

STATE OF Florida

COUNTY OF Dade

Before me, the undersigned authority, this day personally appeared Thomas B. Levinson
and Sandra Levinson

to me well known and known to me to be the individuals described in and who executed the foregoing instrument as the President and the Secretary, respectively, of the Corporation named in the foregoing instrument, and they severally acknowledged to and before me that they executed this instrument on behalf of and in the name of said corporation as such officers, that the seal affixed to this instrument is the corporate seal of said corporation and that it was affixed thereto by due and regular corporate authority, that they are duly authorized by said corporation to execute this instrument and that this instrument is the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal this 22nd
day of March, A.D. 19 85

My commission expires

Just A. Brooks
Notary Public in and for the County and State aforesaid

DADE COUNTY, FLORIDA

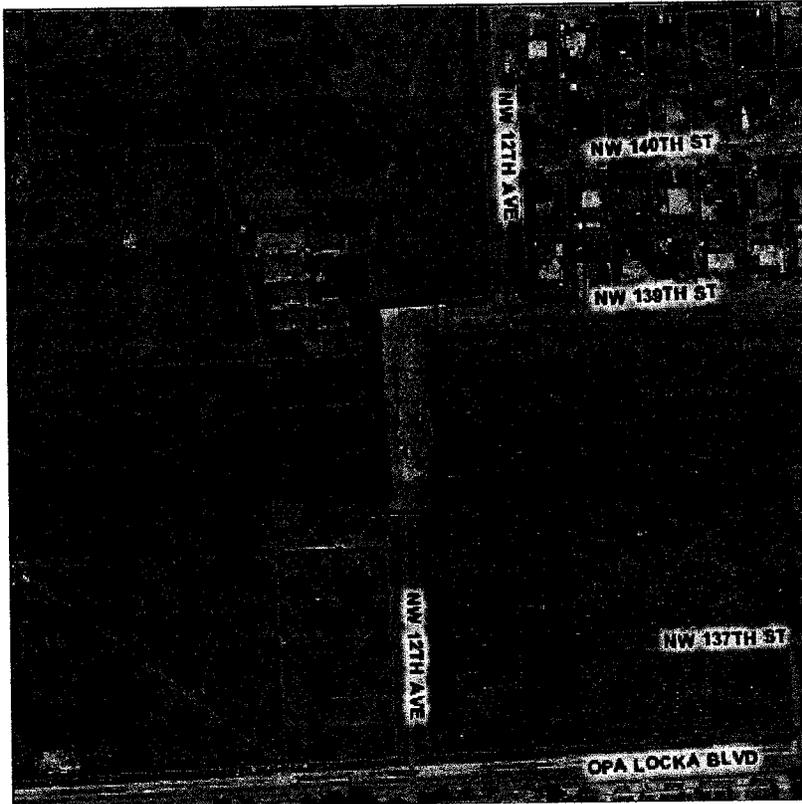
SPECIAL WARRANTY DEED
By Corporation

FROM



miamidade.gov

Property Information Map



0 ——— 136 ft

This map was created on 6/8/2004 8:20:58 AM for reference purposes only.

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Close

Summary Details:

Folio No.:	30-2123-000-0221
Property:	
Mailing Address:	DADE COUNTY GSA R/E MGMT - SOLID WASTE MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-1907

Property Information:

Primary Zone:	8900 UNZONED
CLUC:	0080 VACANT LAND- GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	1 ACRES
Year Built:	0
Legal Description:	23 52 41 .769 AC N335FT OF W100FT OF E226.04FT OF SE1/4 OF SW1/4 & S25FT OF W100FT OF E226.04FT OF NE1/4 OF SW1/4 CLOSED PER R-427-86

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

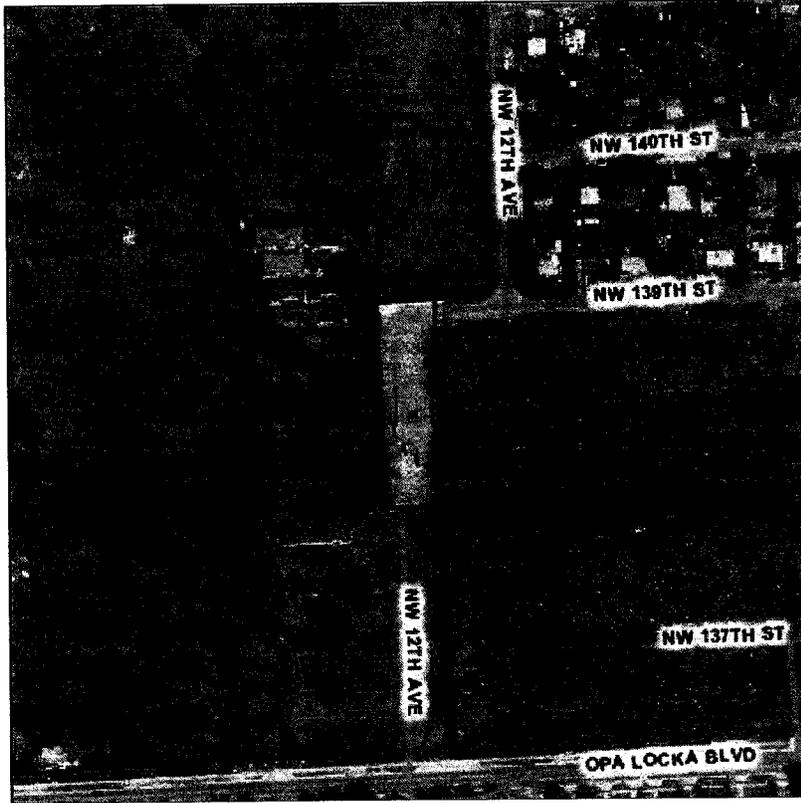
Assessment Information:

Year:	2003	2002
Land Value:	\$9,997	\$9,997
Building Value:	\$0	\$0
Market Value:	\$9,997	\$9,997
Assessed Value:	\$9,997	\$9,997
Total Exemptions:	\$9,997	\$9,997
Taxable Value:	\$0	\$0



miamidade.gov

Property Information Map



0 — 136 ft

This map was created on 2/18/2004 10:04:05 AM for reference purposes only.
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Close

Summary Details:

Folio No.:	30-2123-000-0221
Property:	
Mailing Address:	DADE COUNTY GSA R/E MGMT - SOLID WASTE MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-1907

Property Information:

Primary Zone:	8900 UNZONED
CLUC:	0080 VACANT LAND-GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	1 ACRES
Year Built:	0
Legal Description:	23 52 41 .769 AC N335FT OF W100FT OF E226.04FT OF SE1/4 OF SW1/4 & S25FT OF W100FT OF E226.04FT OF NE1/4 OF SW1/4 CLOSED PER R-427-86

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

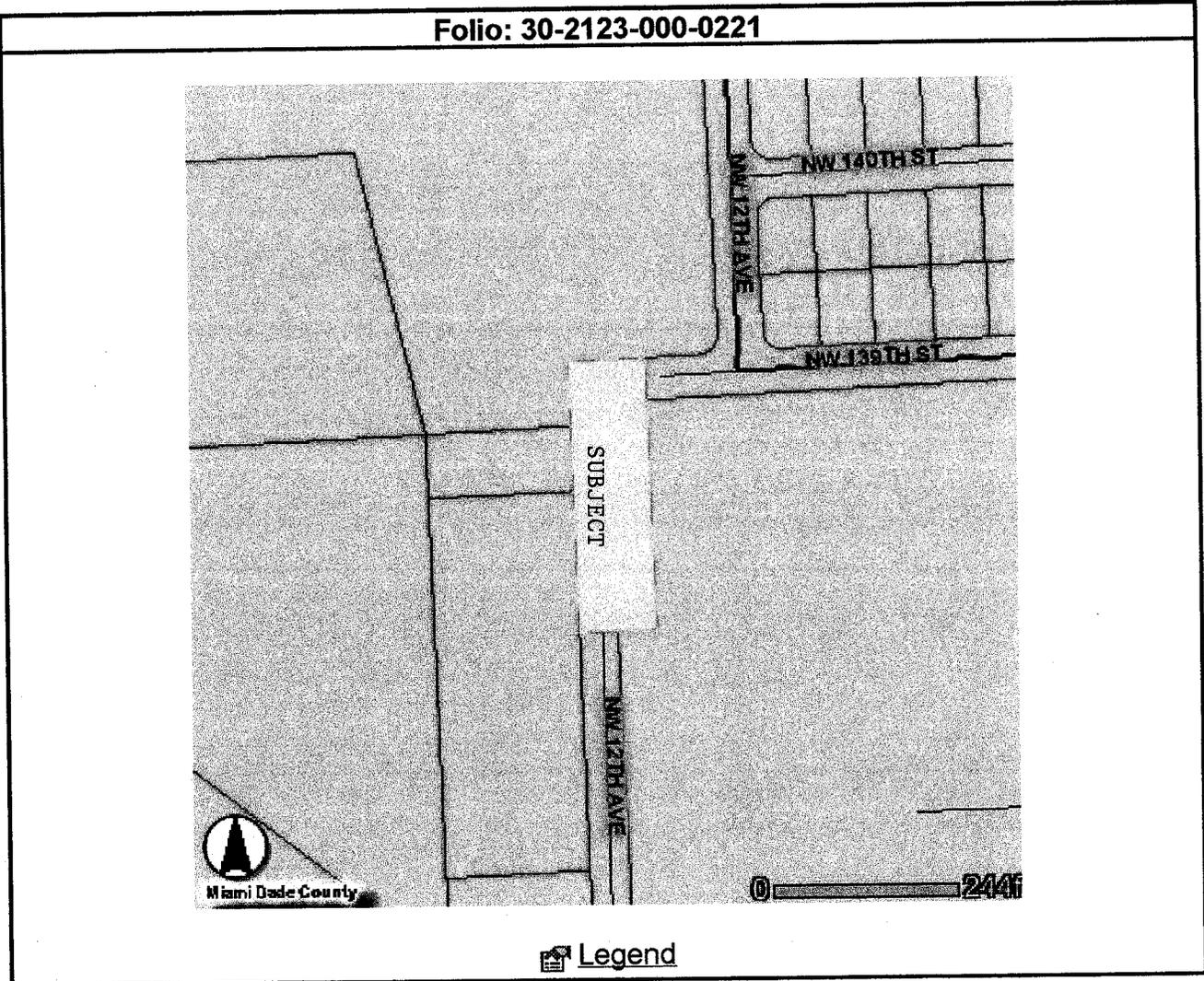
Assessment Information:

Year:	2003	2002
Land Value:	\$9,997	\$9,997
Building Value:	\$0	\$0
Market Value:	\$9,997	\$9,997
Assessed Value:	\$9,997	\$9,997
Total Exemptions:	\$9,997	\$9,997
Taxable Value:	\$0	\$0



miamidade.gov

Folio: 30-2123-000-0221



Print

Close

23-52-41, N335FT OF W100FT OF E226.04FT OF SE1/4 OF SW1/4 & S25FT OF W100FT OF E226.04FT OF NE1/4 OF SW1/4, according to the Public Records of Miami-Dade County, Florida. A/k/A 30-2123-000-0221 (.0769 AC)

Folio: 30-2123-000-0221
Lot Size: .0769 AC
Location: 1200 SW 139 Street
Zoning: Unzoned

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