

Memorandum



Date: June 5, 2007

To: Honorable Chairman Bruno A. Barreiro and
Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: Conveyance of a Portion of County Owned Land to the City of Sunny Isles Beach For Use
as Public Right of Way

Agenda Item No. 8(R)(1)(A)

This item was amended at the May 15, 2007 Governmental Operations and Environment Committee meeting to correct three scrivener's errors in the legal description of the property being conveyed to the City of Sunny Isles, the words in parenthesis substitute the preceding word.

Description of a portion of land being an (and) lying in Section 14, Township 52, South Range 42 East, in Miami-Dade County Florida, more particularly, described as follows: The west 25.00 feet and (of) the south (north) 105 feet, more or less of Alamanda Park, second revised plat of Bella Vista Subdivision, as recorded in Plat Book 50 at page 76 of the Public Records of Miami-Dade County, Florida.

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the conveyance of a portion of County owned land to the City of Sunny Isles Beach for use as public right of way.

SCOPE OF AGENDA ITEM

The impact of this agenda item is limited to the City of Sunny Isles.

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact to the County. The County will benefit in that the City of Sunny Isles has agreed to fund and construct landscape improvements within the portion of property that is not being conveyed as part of a neighborhood beautification initiative instigated by the City of Sunny Isles.

TRACK RECORD/MONITOR

MDWASD's Intergovernmental Affairs Manager will keep record of this property conveyance.

BACKGROUND

The Miami-Dade Water and Sewer Department (MDWASD) owns and operates a sewer pump station at 350 Sunny Isles Beach Boulevard. The City of Sunny Isles Beach has requested that a portion of this property be conveyed to the City of Sunny Isles for use as public right of way. Use of a portion of this property as public right of way will allow for enhanced development opportunities within the City of Sunny Isles. MDWASD has no need for the portion of the property sought by the City of Sunny Isles and is able to maintain full operations of the pump station without use of the property sought.

Honorable Chairman Bruno A. Barreiro and Members,
Board of County Commissioners
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In return for the conveyance, the City of Sunny Isles has agreed to fund and construct landscape improvements within the portion of property that is not being conveyed as part of a neighborhood beautification initiative.



Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: June 5, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 8(R)(1)(A)

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(R)(1)(A)
06-05-07

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF COUNTY RIGHT OF WAY DEED BY MIAMI-DADE COUNTY, FLORIDA, TO THE CITY OF SUNNY ISLES BEACH, CONVEYING ALL THE COUNTY'S RIGHT, TITLE AND INTEREST IN AND TO A PORTION OF PROPERTY LOCATED AT 350 SUNNY ISLES BLVD ALSO KNOWN AS PUMP STATION 301

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 City of Sunny Isles Beach has requested that the Board of County Commissioners of Miami-Dade County, Florida, convey all rights, title, and interest it has in a portion of the property known as 350 Sunny Isles Beach Blvd, otherwise known as Pump Station 301 and more particularly described on Exhibit A hereto, for the exclusive use of same by Sunny Isles Beach for public right of way at the sole cost and expense of Sunny Isles Beach, inclusive of maintenance expenses; and

WHEREAS, as a condition of such conveyance, Sunny Isles Beach shall cause to installed, at no cost to the County, landscape improvements on the remainder of the property consistent with those described on Exhibit B hereto,

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the execution of a County Deed for the conveyance of Miami-Dade County's rights, title, and interest it has in a portion of the property known as 350 Sunny Isles Beach Blvd, otherwise known as Pump Station 301 and more particularly described on Exhibit A hereto, in substantially the form attached hereto and made a part hereof, and authorizes its execution by the Mayor and recording into the public records of Miami-Dade County.

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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2007. 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. 

David M. Murray

Return to:

Right of Way Division .
Miami-Dade County Public Works Dept. .
111 N.W. 1st Street .
Miami, FL 33128-1970 .

Instrument prepared by:

(David M. Murray) .

Folio No. 31-2214-007-0410 .

USER DEPARTMENT: _____ . Road rights of way in
42 . Section 14 Township 52 Range

COUNTY DEED

THIS DEED, Made this _____ day of _____, A.D. 2007, by and between **MIAMI-DADE COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is: Suite 220, Miami-Dade Government Center, 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the first part, and the City of Sunny Isles Beach, whose address is 18070 Collins Ave, Sunny Isles Beach, FL 33160, party of the second part,

WITNESSETH:

THAT the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) 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, its successors, and assigns forever, for the specific and sole purpose of: public road right-of-way, and for other purposes incidental thereto, the following described land lying and being in Miami-Dade County, Florida:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

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.

This grant is conditioned on Sunny Isles Beach performing landscape improvements on property owned by the County and located at 350 Sunny Isles Beach Blvd, Sunny Isles Beach FL, 33160 to the satisfaction of the County; the maximum value of such improvements shall not exceed \$500,000.00.

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, and attested by the Clerk or Deputy Clerk of said Board, the day and year aforesaid.

ATTEST:

**HARVEY RUVIN,
CLERK OF SAID BOARD**

MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida,

**BY ITS BOARD OF
COUNTY COMMISSIONERS**

By: _____
Deputy Clerk

By: _____
Mayor

The foregoing was authorized and approved by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, A.D. 20____.

