

# Memorandum



**Date:** September 4, 2007

Agenda Item No. 12(B)2

**To:** Honorable Chairman Bruno A. Barreiro  
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 the County Manager.

**Subject:** Feasibility of Erecting a Mini Park between NW 107-105 Streets along NW 17 Avenue

Resolution No. R 594-07 (Exhibit A), sponsored by Commissioner Dorrin D. Rolle and adopted by the Board on May 8, 2007, directed the County Manager to conduct a feasibility study to determine whether some or all of the property between N.W. 107-105 Streets, along N.W. 17 Avenue can be used to erect a mini park and to identify funding sources for such a mini park.

In response to that request, the Park and Recreation Department has provided the attached report.

The property, although in the Unincorporated Municipal Service Area (UMSA), has belonged to the Village of Miami Shores since 1940, and is currently in use by the Village for various municipal purposes. The Department contacted the Village Manager who indicated that, given their current use of the property (for heavy equipment, including garbage trucks and as a shooting range for their police), they neither want to dispose of the property nor enter into a joint use agreement with the County for portions of the property.

In addition, if the Village were willing to consider either a sale or joint use agreement for part of the property, the Park and Recreation Department recommends that a careful assessment of the environmental conditions and potential risks from current and former uses associated with the property would be required prior to any decision to develop a park on the property.

Attachment

A handwritten signature in black ink, appearing to read "Alex Muñoz", written over a horizontal line.

Alex Muñoz  
Assistant County Manager

**Report conducted by the Parks and Recreation Department - Feasibility of  
Erecting a Mini Park within Commission District 2**

**Background**

The property in question is a 25 acre parcel that is owned by the Village of Miami Shores. The Village acquired the property in 1940 from Glenn H Curtis Properties, Incorporated for the sum of \$10.00. (See Exhibits 1 and 2.)

As depicted on the attached aerial, approximately half of the property is used for public and municipal service structures, including the Village motor pool, that serve the Village of Miami Shores. The remaining acres are vacant and unimproved. The property is zoned commercial medium intensity. In 2003, based on comparable sales and similarly zoned property in the area, the market value of the property was estimated to be \$1,611,737. It is likely to be substantially higher now.

**Needs Assessment**

The Department concurs that there is a deficiency of neighborhood park land within the area. Local parks are Little River Park, West Little River Park, Arcola Park and Arcola Lakes Park – none within close walking distance of the neighborhood surrounding this property.

**Acquisition Potential**

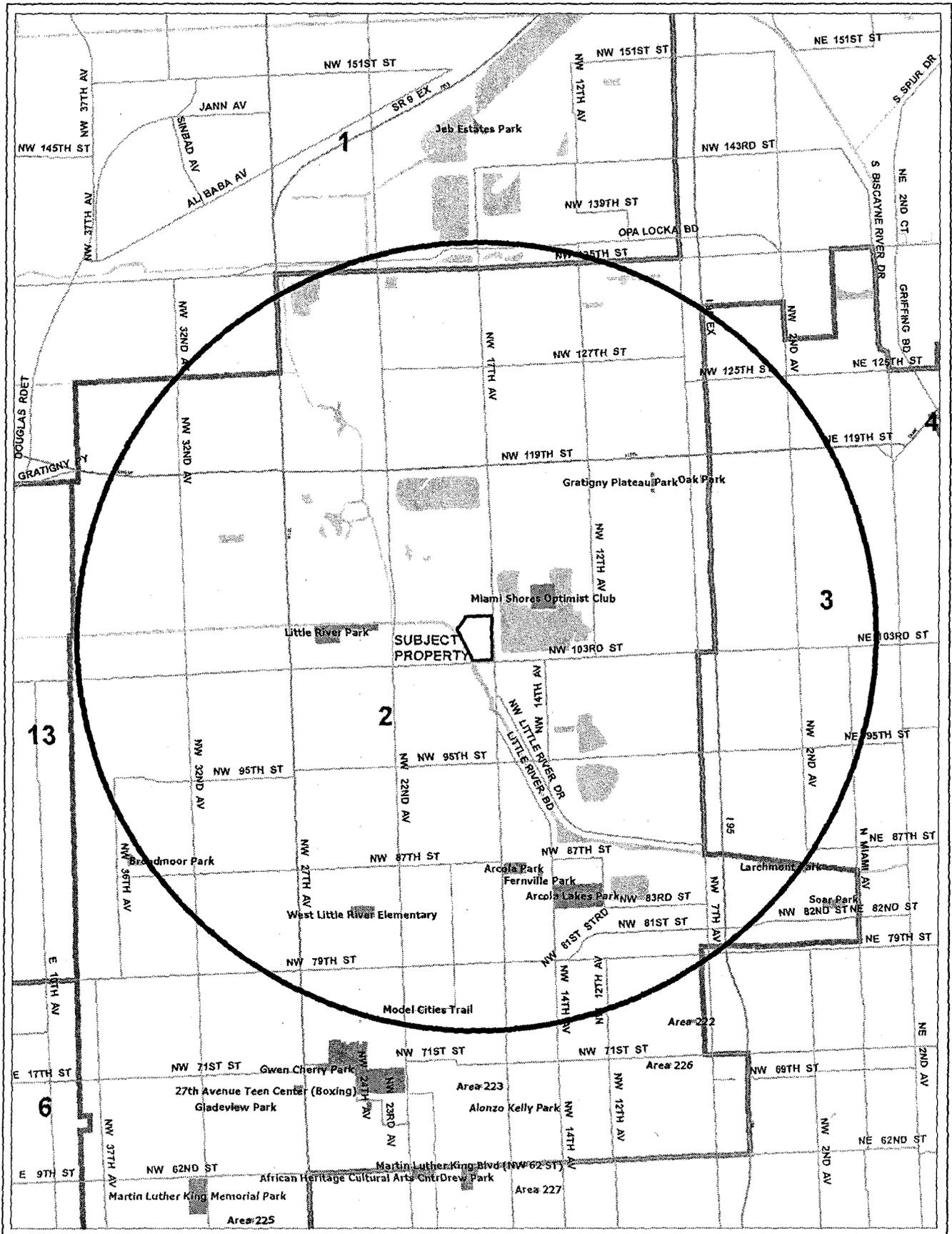
Acquisition of this property will require both a willing seller and a careful evaluation of the suitability of the site for park and recreation use. The Department has on numerous occasions contacted the Village, and both previously and in the most recent conversation, the Village has expressed interest in retaining the property and no interest in entering into a long term lease or joint use agreement for any part of the property. The Village currently uses the property for a variety of municipal purposes – including heavy equipment storage (e.g., garbage trucks) and as a shooting range for their police force. In addition, should the Village determine to dispose of the property through a sale, there is no current funding available.

If any of these conditions change, the Department recommends that prior to an acquisition or entering into an agreement, an evaluation of the site be conducted in terms of its suitability for recreational development. Given the historic and current use of the site, this would involve at a minimum soil testing for any environmental contaminants, determination of the need for excavation or fill, and an assessment of other site safety conditions (e.g., proximity to a canal) that would need to be remediated or addressed. This would require a Phase 1 and potentially a Phase 2 environmental assessment.

## **Recommendation**

It is recommended that the Department continue to speak with the Village of Miami Shores to explore this possibility. In addition, the Department will continue to work with the Department of Planning and Zoning to identify potential development and redevelopment opportunities in this area that may provide an opportunity for additional recreation open space in the area.





MAP PREPARED BY:  
MIAMI-DADE COUNTY  
PARK AND RECREATION DEPARTMENT  
PLANNING AND RESEARCH DIVISION  
JUNE 25, 2007  
305-755-7860

**Legend**

- Highways
- Major Roads
- Commission Districts
- County Parks
- Water

0 1,625 3,250 6,500  
Feet

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

Agenda Item No. 11(A)(14)  
5-8-07

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

RESOLUTION NO. R-594-07

RESOLUTION DIRECTING THE COUNTY MANAGER TO CONDUCT A FEASIBILITY STUDY TO ERECT A MINI PARK WITHIN THE PROPERTY BETWEEN N.W. 107-105 STREETS ALONG N.W. 17 AVENUE, AND TO IDENTIFY FUNDING SOURCES FOR SUCH A MINI PARK

WHEREAS, the residents of Little River Farms have identified the property between N.W. 107-105 Streets along N.W. 17 Avenue as a potential site for a mini park within the eastern portion of their neighborhood; and

WHEREAS, the property between N.W. 107-105 Streets along N.W. 17 Avenue is currently owned by Miami Shores Village; and

WHEREAS, Miami Shores Village purchased the property between N.W. 107-105 Streets along N.W. 17 Avenue in 1940 from Glenn H. Curtiss Properties, Inc. (see attached copy of the Warranty Deed); and

WHEREAS, the residents of Little River Farms desire to have a park in the eastern portion of the Little River Farms neighborhood in order to facilitate accessibility to a park for residents in the east, to promote community pride, to encourage unity among the residents, and to provide a better quality of life for all residents of Little River Farms, both young and old,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Manager to conduct a feasibility study to determine whether some or all of the property between N.W. 107-105 Streets along N.W. 17 Avenue can be used to erect a mini park through an agreement with Miami Shores Village. Such feasibility study should include, but not be limited to, a purchase and acquisition agreement, a lease agreement, a user agreement, a

memorandum of understanding, or any other mechanism to acquire title or right to erect a mini park on the property, and should also identify and discuss any potential funding sources for this mini park. The findings shall be reported to the Board of County Commissioners within sixty (60) days of the approval of this resolution.

The foregoing resolution was sponsored by Commissioner Dorrin D. Rolle and offered by Commissioner Joe A. Martinez, 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 8<sup>th</sup> day of May, 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: **KAY SULLIVAN**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

*MR*

Monica Rizo

**MEMORANDUM**

Agenda Item No. 11(A)(14)

---

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

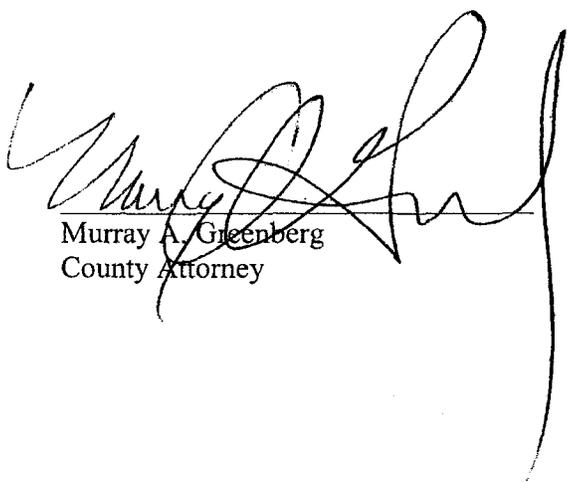
**DATE:** May 8, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Resolution directing County  
Manager to conduct a  
feasibility study to erect a  
mini park between NW  
107-105 Streets along  
NW 17 Avenue

---

The accompanying resolution was prepared and placed on the agenda at the request of  
Commissioner Dorrin D. Rolle.

  
Murray A. Greenberg  
County Attorney

MAG/bw



# MEMORANDUM

(Revised)

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

**DATE:** May 8, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(14)

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

WARRANTY DEED  
(FEDERAL CORPORATION TO CORPORATION)

NETTY'S FORM R. & 35 1/2

NETTY PRESS, MIAMI

This Indenture. Made this 28th day of February A. D. 1940

BETWEEN - - GLENN H. CURTISS PROPERTIES, INCORPORATED, - - - - -

\_\_\_\_\_ a corporation  
existing under the laws of the State of Florida having its principal place of  
business in the County of Dade and State of Florida

and lawfully authorized to transact business in the State of Florida, party of the first part, and

- - - - - MIAMI SHORES VILLAGE - - - - -

municipal  
corporation existing under the laws of the State of Florida having its  
principal place of business in the County of Dade and State of Florida

and lawfully authorized to transact business in the State of Florida, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of  
Ten Dollars and other valuable considerations - - - - -

to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowl-  
edged, has granted, bargained and sold to the said party of the second part, its successors and as-  
signs forever, the following described land situate, lying and being in the County of \_\_\_\_\_

Dade \_\_\_\_\_ and State of Florida, to-wit:

The W/2 of the NE/4 of the SE/4, and all that  
part of the SE/4 of the SE/4 lying north of  
the Little River Canal, all in Section 34,  
Township 52 South, Range 41 East, containing  
47.786 acres, more or less.

It is understood and agreed that the conveyance hereby made is  
subject to all taxes and assessments for public improvements  
for the year 1940 and subsequent years.



And the said party of the first part does hereby fully warrant the title to said land, and will  
defend the same against the lawful claims of all persons.

BOOK 2041 PAGE 340

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its proper officers, and its corporate seal to be affixed, attested by its Secretary, the day and year above written.

GLENN H. CURTISS PROPERTIES, INCORPORATED

Attest: Strayer Wheeler Secretary.

By: W. J. McLeod Vice President.

Signed, sealed and delivered in the presence of us:

A. E. Mahle  
Golden Sands

STATE OF FLORIDA.

COUNTY OF \_\_\_\_\_

I HEREBY CERTIFY, that on this 28th day of February, A. D. 1940

before me personally appeared W. J. MC LEOD and H. SAYRE WHEELER, Vice President and Secretary respectively of GLENN H. CURTISS PROPERTIES, INCORPORATED, a corporation under the laws of

the State of Florida to me known to be the persons who signed the foregoing instrument as such officers and severally acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned and that they affixed thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Miami Springs in the County of Dade and State of Florida the day and year last aforesaid.

A. E. Mahle (Seal)  
Witness April 13, 1940

MIAMI FORM R. E. 2811

**Mortgage Deed**

(FROM CORPORATION TO CORPORATION)

**GLENN H. CURTISS PROPERTIES, INCORPORATED**

TO

**MIAMI SHORES VILLAGE**

Date February 28, 1940

ABSTRACT OF DESCRIPTION

Land in Sec. 34, Township 53 South, Range 41 East, Dade County, Florida

STATE OF FLORIDA.

COUNTY OF Dade

On this 28th day of February A. D. 1940 at Miami Springs in the County of Dade and State of Florida I have recorded the same on pages 939 of Book 2041 in the public records of said County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Clerk of said County in and for said County.

E. B. LEVATHMAN Clerk

FILED FOR RECORD

MAR 9 1940 10 15 AM

LEVATHMAN