

**MEMORANDUM**

Agenda Item No. 13(A)(1)

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

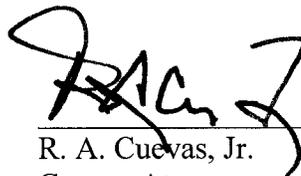
**DATE:** September 18, 2007

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

**SUBJECT:** Resolution authorizing  
certain settlement in  
County eminent domain  
proceedings by County  
Attorney in connection with  
the acquisition of land needed  
for the North/South Roadway  
Connector

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The accompanying resolution was placed on the agenda by the County Attorney.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/bw

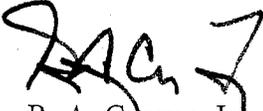


# MEMORANDUM

(Revised)

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

**DATE:** September 18, 2007

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

**SUBJECT:** Agenda Item No. 13(A)(1)

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

Agenda Item No. 13(A)(1)  
09-18-07

Veto \_\_\_\_\_

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING CERTAIN SETTLEMENT  
IN COUNTY EMINENT DOMAIN PROCEEDINGS BY  
COUNTY ATTORNEY IN CONNECTION WITH THE  
ACQUISITION OF LAND NEEDED FOR THE NORTH/  
SOUTH ROADWAY CONNECTOR, N.W. 79 AVENUE/  
N.W. 79 PLACE BETWEEN N.W. 74 STREET AND  
OKEECHOBEE ROAD AS PART OF THE METRORAIL  
EXTENSION TO THE PALMETTO EXPRESSWAY  
AND MULTI-MODAL FACILITY PROJECT IN  
MIAMI-DADE COUNTY, FLORIDA

WHEREAS, this Board by Resolution No. R-568-98 dated May 19, 1998, previously declared the acquisition of land needed for the North/South Roadway Connector, N.W. 79 Avenue/N.W. 79 Place between N.W. 74 Street and Okeechobee Road as part of the Metrorail Extension to the Palmetto Expressway and Multi-Modal Facility Project, and located in Miami-Dade County, Florida, to be a public necessity and authorized the acquisition of land therefor by eminent domain proceedings; and

WHEREAS, the owners of the parcels of land set forth in the attached land acquisition summary sheet have offered to settle for the figure specified therein; and

WHEREAS, the County Attorney hereby recommends the settlement amount as set forth in the attached land acquisition summary sheet,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, that the County Attorney is hereby authorized to compromise and settle on behalf of the County all claims against the County in eminent domain proceedings for the parcels and for substantially the terms and the amount specified in the attached land acquisition summary sheet.

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  
Carlos A. Gimenez  
Joe A. Martinez  
Dorrin D. Rolle  
Katy Sorenson  
Sen. Javier D. Souto  
Audrey M. Edmonson  
Sally A. Heyman  
Dennis C. Moss  
Natacha Seijas  
Rebeca Sosa

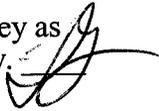
The Chairperson thereupon declared the resolution duly passed and adopted this 18<sup>th</sup> day of September, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Thomas Goldstein

**LAND ACQUISITION SUMMARY SHEET**

**PROJECT LOCATION:** North/South Roadway Connector, N.W. 79 Avenue/N.W. 79 Place between N.W. 74 Street and Okeechobee Road as part of the Metrorail Extension to the Palmetto Expressway and Multi-Modal Facility Project in Miami-Dade County, Florida.

**APPRAISERS:** J. Mark Quinlivan, M.A.I.

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**PARCEL NUMBERS:** NS-3, NS-4 and NS-10

**OWNERSHIP INTEREST:** NS-3 – Gran Central Corporation, a Florida Corporation

NS-4 and NS-10 – Florida East Coast Railway Company, a Florida corporation

**ORIGINAL APPRAISALS AND INITIAL OFFER TO OWNER:** Parcel No. NS-3 – \$ 3,900  
Parcel No. NS-4 – \$ 7,300  
Parcel No. NS-10 – \$108,000

**UPDATED APPRAISAL(S):** Parcel No. NS-3 – \$ 5,250  
Parcel No. NS-4 – \$ 10,000  
Parcel No. NS-10 – \$213,100

**OWNERS' APPRAISALS:** Parcel No. NS-3 – \$ 16,700  
(Roderick P. Gillis – Gillis & Company) Parcel No. NS-4 – \$ 30,000  
Parcel No. NS-10 – \$428,000

**ATTORNEY'S FEES AND COSTS:** See full compensation

**FULL COMPENSATION AND REMARKS:** \$432,000.00 for Parcel Nos. NS-3, NS-4 and NS-10, inclusive of any and all damages, statutory interest, and attorney's fees. The owners entitlement to reasonable expenses and costs shall be determined by the Court at a later date. Under no circumstances shall County be responsible for the payment of expenses and costs incurred prior to the settlement in excess of \$109,000.00