

Memorandum



Date: October 7, 2008

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

Agenda Item No. 8(F)(1)(B)

From: George M. Burgess
County Manager

Subject: Sale of County-Owned Property
Located at East 25th Street and East 6th Avenue (Hialeah Parcel No.02-46)
Folio: 04-3108-007-2650

Recommendation

It is recommended that the Board adopt the attached resolution declaring surplus vacant County-owned land under the jurisdiction of Miami-Dade Transit, authorizing the waiver of Administrative Order 8-4 as it relates to the review by the Planning Advisory Board, authorizing the private sale to the sole adjacent property owner, a limited liability corporation named Building 600 @25TH Street, L.L.C., and authorizing the execution of County Deed for such purpose.

Scope

COMMISSION DISTRICT: 6
COMMISSION DISTRICT (S) IMPACTED: County-wide

Background:

MANAGING DEPARTMENT: Miami-Dade Transit (MDT)
FOLIO NUMBER: 04-3108-007-2650
LOT SIZE: 7,388 square feet, or 0.1696 Acres ±
LOCATION: East 25th Street and East 6th Avenue
2008 ASSESSED VALUE: \$103,432.00
ZONING: RTZ (Rapid Transit)
CURRENT USE: Vacant, Unimproved

JUSTIFICATION: Florida Statute 125.35-3(2) provides that when the Board of County Commissioners finds that a parcel of real property is of insufficient size and shape to be issued a building permit or the value of the property is \$15,000 or less as determined by the County Property Appraiser, the Board may effect a private sale of the parcel with the adjacent property owner. If there is more than one adjacent property owner, then the property shall be bid amongst those owners. In this case Building 600 @25TH Street, L.L.C., is the sole adjacent property owner.

Fiscal Impact/Funding Source

MINIMUM SALE AMOUNT: This parcel was acquired by Miami-Dade Transit (MDT) as part of the Hialeah Corridor. This parcel is no longer needed for transit or other County purposes and has been identified for asset disposal as part of MDT's deficit reduction plan.

This parcel is a 7,388 square foot triangular shaped parcel. If approved for surplus, the property will be sold via private sale to Building 600 @25TH Street, L.L.C., the sole adjacent property owner, for \$133,000.00, which represents its fair market value, as established by an independent state-certified appraiser. Due to the property's close proximity to the Metro Rail guideway the property will be sold subject to various restrictions which are described in detail in the attached County Deed.

APPRAISED MARKET VALUE: \$133,000.00.

Track Record/Monitor

MONITOR: Mercedes Sanchez, Real Estate Officer

DELEGATED AUTHORITY: Authorizes the County Mayor or County Mayor's designee to sell the property to Building 600 @25TH Street, L.L.C., the sole adjacent property owner, for \$133,000.00 which represents its fair market value as established by an independent state-certified appraiser; take all actions necessary to accomplish the sale of the property; and execute a County Deed for such purpose.

COMMENTS: It has been determined that this parcel is not suitable for affordable housing due to the fact that it is too small to be independently developed and is surrounded by commercial development. The property was circulated to County departments as well as the City of Hialeah and the nearby Hialeah Hospital, and no use was identified.



Director
General Services Administration



MEMORANDUM
(Revised)

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

DATE: October 7, 2008

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

SUBJECT: Agenda Item No. 8(F)(1)(B)

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(F)(1)(B)
10-7-08

RESOLUTION NO. _____

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTY LOCATED AT EAST 25TH STREET AND EAST 6TH AVENUE, HIALEAH; AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY FOR \$133,000.00 TO THE ADJACENT PROPERTY OWNER, BUILDING 600 @25TH Street, L.L.C., WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, this Board desires to accomplish the purpose 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, pursuant to section 125.35 Florida Statutes, hereby declares surplus County-owned property located at East 25th Street and East 6th Avenue, Hialeah, authorizes the private sale of said property to the adjoining property owner, Building 600 @25TH Street, L.L.C., for \$133,000.00; authorizes the County Mayor or the County Mayor's designee to take all actions necessary to accomplish the sale of said property, legally described in the aforementioned County Deed; and authorizes the Mayor to execute said County Deed, in substantially the form attached hereto.

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
7th day of October, 2008. 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.



Debra Herman

Instrument prepared by and returned to:
Miami-Dade County General Services Administration
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

Folio No.: 04-3108-007-2650 (Parcel 02-46)

COUNTY DEED

THIS DEED, made this _____ day of _____, 2008 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 Building 600 @25TH Street, L.L.C., party of the second part, whose address is 600 East 25 Street Hialeah, Florida.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Hundred Thirty Three Thousand Dollars and no/100 (\$133,000.00) 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, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

SEE ATTACHMENT "A"
LEGAL DESCRIPTION

This conveyance is made subject to the following restrictions:

1. Any and all construction plans for any improvements to be constructed on this parcel must be submitted to the Miami-Dade Transit Office of Safety and Security Fire/Life/Technical Committee for review, comment, possible revision(s) and approval.
2. Any elevated improvements built on this parcel shall be no closer than thirty (30) feet from the outer edge of the Metrorail guideway (the horizontal concrete track bed atop the Metrorail columns).
3. No balconies shall face Metrorail unless completely enclosed with a "protective device" such that nothing can be thrown onto the tracks or at the Metrorail vehicles, e.g. screening or grille work.
4. Structured garages shall have "closed" openings which face Metrorail, i.e. closed with chain link fencing (whether vinyl covered or not), side to side, top to bottom, in order that no projectiles can be thrown onto the Metrorail guideway or at the Metrorail vehicles; this includes possible fencing along the rooftop edge facing the Metrorail guideway including appropriate corners.
5. The rear yard lot line shall be no less than fifteen (15) feet from the mutual Metrorail boundary line.
6. No use of adjacent Metrorail right-of-way shall be permitted for any reason at any time.
7. No item, structure or debris shall encroach onto said adjacent Metrorail right-of-way at any time.

6

8. No above- or under-ground storage tanks or containers of flammable materials shall be kept, stored, contained, built or maintained on this parcel at any time.
9. Construction crane locations shall be approved by the Miami-Dade Transit office of Safety and Security prior to any construction or crane(s) being located on this parcel.

The following uses are not permitted on this parcel:

1. gas stations
2. automotive new parts and equipment or accessory stores (salesroom only)
3. automotive tires (sales, service, recapping, installation, storage, discarded, abandoned, new or used, disposal)
4. coin-operated or self-service laundries or dry cleaning
5. copy services or quick printing
6. restaurants, eateries
7. grocery stores and supermarkets
8. manual or mechanical carwashes
9. secondhand merchandise dealers or sale or pawn of secondhand goods

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

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

By: _____
Deputy Clerk

By: _____
Mayor

Approved for legal sufficiency. _____

The foregoing was authorized by Resolution No. _____ approved by the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 2008.

ATTACHMENT "A"
LEGAL DESCRIPTION

Folio Number 04-3108-007-2650
Parcel (02-46)

A portion of Lots 3, 4, 5, and 6, In Block 17-B of "SIXTH ADDITION TO THE TOWN OF HIALEAH", according to the Plat thereof as recorded in Plat Book 8, Page 54, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

COMMENCE at the Northwest corner of lot 1, said Lot 8, Block 17-B, "SIXTH ADDITION TO THE TOWN OF HIALEAH".

THENCE South 03 32'10" East on the East right-of-way line of Sixth Avenue, a distance of 20.01 feet to the intersection with the South right-of-way line of East 25th Street as shown on Miami-Dade County Office of Transportation Administration right-of-way map for the Hialeah Corridor, Line Section H-405;

THENCE North 87 45' 28" East on said South right-of-way line of East 25th Street, a distance of 100.02 feet to the intersection with the West line of said Lot 3 and the POINT OF BEGINNING;

THENCE continue North 87 45' 28" East on said South right-of way line, a distance of 161.88 feet to the intersection with Northwesterly right-of-way line of the Miami-Dade County Metrorail, Hialeah Corridor, as shown on said Right-of Way Maps, said point located on the arc a non-tangent curve concave to the Southeast, whose radius point bears South 28 32' 02" East;

THENCE Southwesterly on said Northwesterly right-of-way line and on the arc of said curve having a radius of 1031.50 feet , through a central angle of 10 24' 58", and an arc distance of 187.52 feet to the intersection with said West line of Lot 3;

THENCE North 03 32' 10" West on said West line of lot 3, a distance of 97.87 feet to the POINT OF BEGINNING;

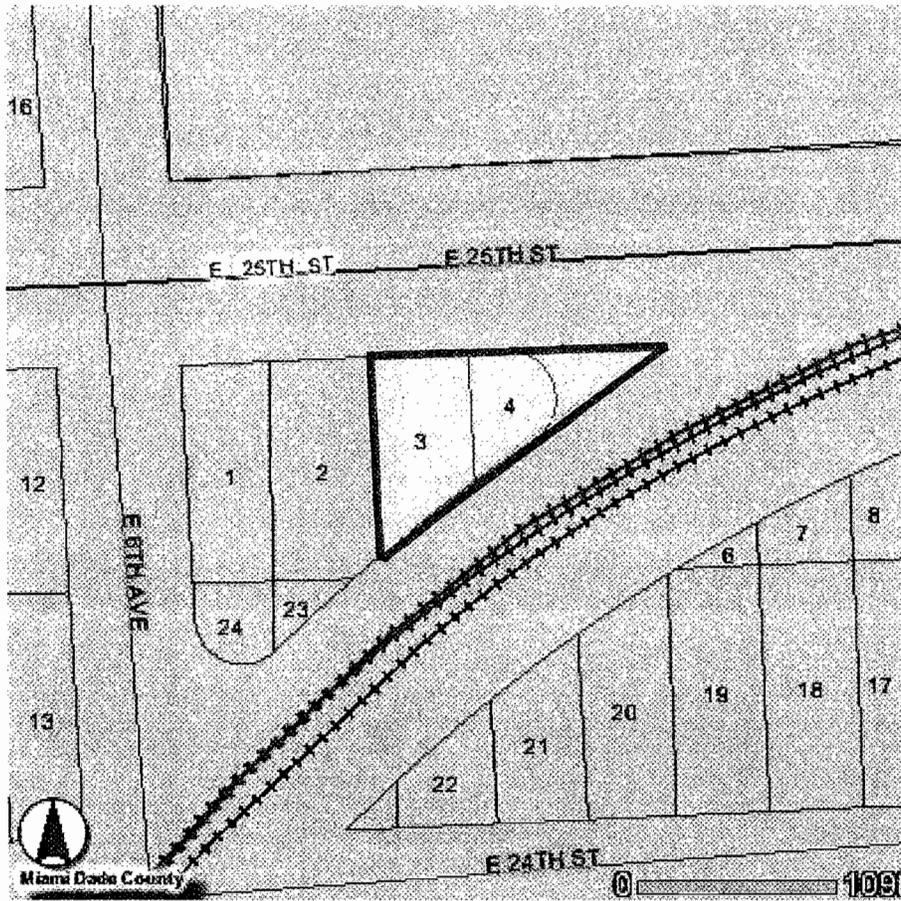
Said lands lying in the City of Hialeah, Miami-Dade County, Florida, and containing 7,388 square feet (0.1696 acres), more or less.

eMaps Online
Miami-Dade County, Florida

miamidade.gov



Folio: 04-3108-007-2650 (See Attached Legal Description) Parcel 02-46



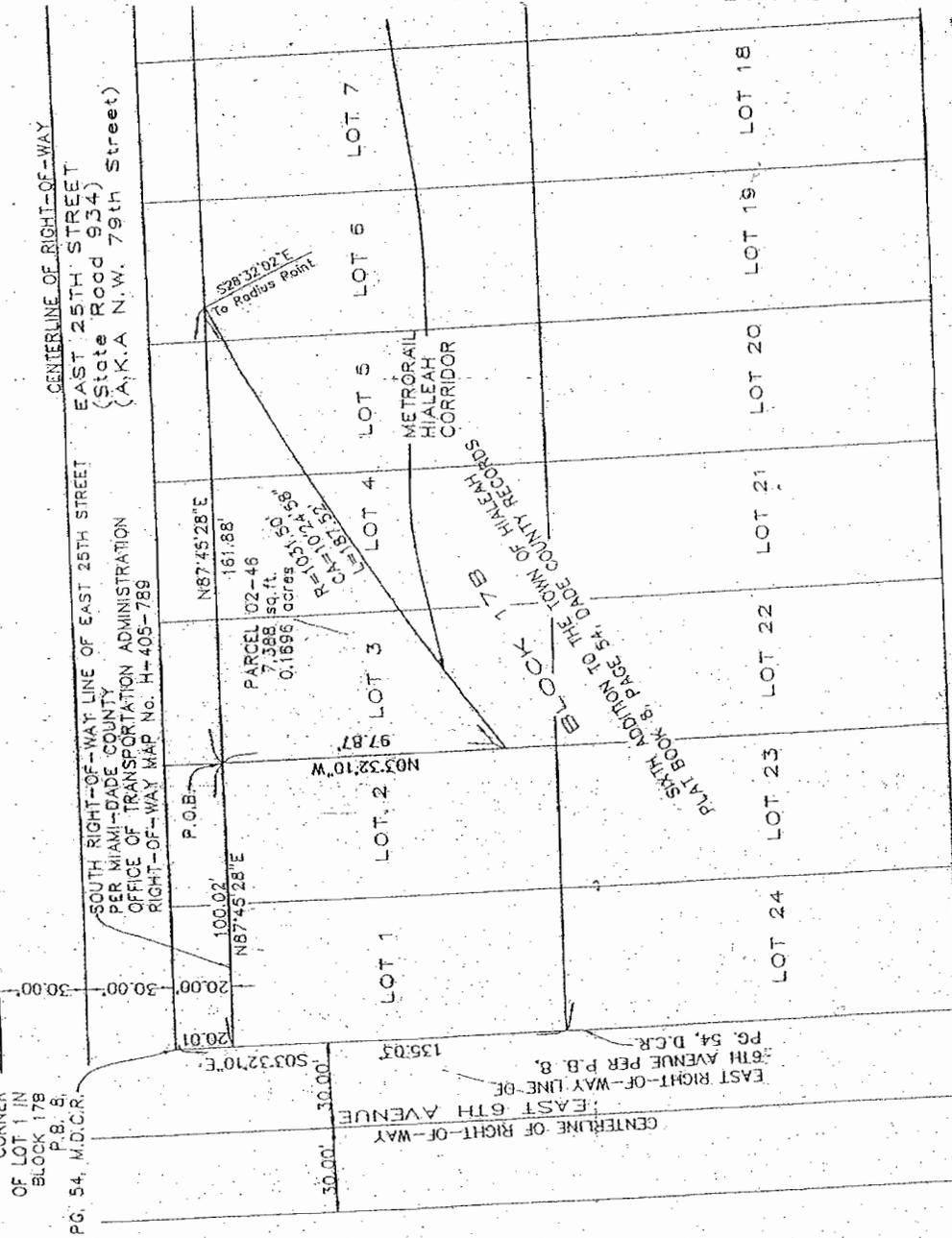
Legend

Print

Close

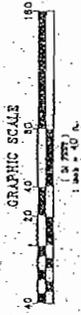
9

NORTHWEST
CORNER
OF LOT 1 IN
BLOCK 17B
P.B. 8,
PG. 54, M.D.C.R.



SURVEYOR'S NOTES:

1. Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
2. Lands shown hereon were not abstracted for Rights-of-Way, Easements, Ownership, or other instruments of record by the Surveyor.
3. Bearings shown hereon are relative to the South right-of-way of East 25th Street as shown on Miami-Dade County Office of Transportation Right-of-Way Maps for Hialeah Corridor Line, Section H-405. Said line bears North 87°45'28\"/>



I HEREBY CERTIFY that this "SKETCH OF SURVEY" of the property described hereon is true and correct to the best of my knowledge and belief as recently surveyed and drawn under my supervision. This sketch complies with the Minimum Technical Standards set forth by the Florida State Board of Professional Surveyors and Mappers in Chapter 61G17-05, Florida Administrative Code pursuant to 472.027 Florida Statutes.

Signed: *Gregory J. Giomantis* Dated: 10-11-06
 GREGORY J. GIOMANTIS
 Professional Surveyor and Mapper No. 4479
 State of Florida

	City of Hialeah, Miami-Dade County, Florida	SKETCH OF DESCRIPTION PARCEL 02-46 Contract H-400	PARCEL NO. 06-5681	SHEET NO. 2
	HIALEAH METRORAIL MIAMI-DADE TRANSIT	SKETCH OF DESCRIPTION PARCEL 02-46 Contract H-400	PARCEL NO. 06-5681	SHEET NO. 2

10

CONTRACT: H 400
PARCEL: 02-46

LAND DESCRIPTION
METRORAIL HIALEAH CORRIDOR
CITY OF HIALEAH, DADE COUNTY, FLORIDA

A portion of Lots 3, 4, 5, and 6, in Block 17-B, of "SIXTH ADDITION TO THE TOWN OF HIALEAH", according to the Plat thereof as recorded in Plat Book 8, Page 54, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

COMMENCE at the Northwest corner of Lot 1, said Block 17-B, "SIXTH ADDITION TO THE TOWN OF HIALEAH";

THENCE South $03^{\circ}32'10''$ East on the East right-of-way line of Sixth Avenue, a distance of 20.01 feet to the intersection with the South right-of-way line of East 25th Street as shown on Miami Dade County Office of Transportation Administration Right-of-Way Map for the Hialeah Corridor, Line Section H-405;

THENCE North $87^{\circ}45'28''$ East on said South right-of-way line of East 25th Street, a distance of 100.02 feet to the intersection with the West line of said Lot 3 and the POINT OF BEGINNING;

THENCE continue North $87^{\circ}45'28''$ East on said South right-of-way line, a distance of 161.88 feet to the intersection with the Northwesterly right-of-way line of the Miami-Dade County Metrorail, Hialeah Corridor, as shown on said Right-of-Way Maps, said point located on the arc of a non-tangent curve concave to the Southeast, whose radius point bears South $28^{\circ}32'02''$ East;

THENCE Southwesterly on said Northwesterly right-of-way line and on the arc of said curve having a radius of 1,031.50 feet, through a central angle of $10^{\circ}24'58''$, and an arc distance of 187.52 feet to the intersection with said West line of Lot 3;

THENCE North $03^{\circ}32'10''$ West on said West line of Lot 3, a distance of 97.87 feet to the POINT OF BEGINNING;

Said lands lying in the City of Hialeah, Miami-Dade County, Florida, and containing 7,388 square feet (0.1696 acres), more or less.