Memorandum

MIAMI-DADE COUNTY

Date: January 22, 2009

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

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Authorizing Release of Surplus Tax Deed 06A-127 Sale Proceeds

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Recommendation
It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing release of Surplus Tax Deed 06A-127 sale proceeds in the amount of $335,764.17 to Eleodoro Gonzalez, Trustee, who was the titleholder on the date of the above-referenced sale and is entitled to the resulting proceeds.

Scope
The attached resolution authorizes release of surplus tax deed sale proceeds in accordance with provisions of the Florida Statutes.

Fiscal Impact/Funding Source
None. All property taxes owed were collected at the time of tax certificates being sold and/or at time of tax deed sale. Surplus funds are paid from net proceeds of the tax deed sale.

Track Record/Monitor
The proposed release of these surplus tax deed sale proceeds is being done in accordance with Section 197.582, Florida Statutes.

Background
Miami-Dade County presently holds $335,764.17 in excess proceeds from the sale of a tax deed for delinquent taxes on or about August 10, 2006 on a property described as follows:

Folio No. 30-4914-002-0361

14 54 39.633 AC M/L
JG HEADS FARMS SUB PB 46-44
W90.30FT OF E2016.60FT OF TR 15
LESS N25FT FOR R/W
OR 18897-2082 1199 6
COC 26340-1645/26340-1446 0308 4

Pursuant to Section I97.582, Florida Statutes, said excess undistributed funds are retained for the benefit of the person who, on the date of the sale, was the titleholder of record and for lien holders.

Accordingly, it is recommended that the surplus funds be released to Eleodoro Gonzalez, Trustee, pursuant to the attached Resolution.

Cynthia W. Curry
Senior Advisor to the County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: January 22, 2009

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

SUBJECT: Agenda Item No. 8(E)(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(E)(1)(A)
1-22-09

RESOLUTION NO. _____

RESOLUTION AUTHORIZING RELEASE OF SURPLUS TAX DEED 06A-127 SALE PROCEEDS IN THE AMOUNT OF $335,764.17 TO ELEODORO GONZALEZ

WHEREAS, the Clerk of the Circuit Court issued a tax deed for delinquent taxes upon the following described real property on or about August 10, 2006; and

Folio No. 30-4914-002-0361
14 59 39.633 AC M/L
J G HEADS FARMS SUB PD 46-44
W90.30FT OF E2016.60FT OF TR 15
LESS N25FT FOR R/W
OR 18897-2082 1199 6
COC 26340-1645/26340-1446 0308 4

WHEREAS, as a result of the said tax deed sale, there exists a net excess of funds in the amount of $335,764.17 currently held by the Miami-Dade County Board of County Commissioners; and

WHEREAS, pursuant to Section 197.582, Florida Statutes, the said excess undistributed funds are retained for the benefit of the person who, on the date of the sale, was the titleholder of record for lienholders; and

WHEREAS, on the date of the above-referenced sale, ELEODORO GONZALEZ was a titleholder and is entitled to the excess proceeds resulting therefrom,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that the Finance Director is hereby authorized and directed to deliver to the Clerk of the Circuit Court the said surplus tax deed sale proceeds in the amount of $335,764.17, and the Clerk of the Circuit Court is authorized and directed to disburse this $335,764.17 to ELEODORO

GONZALEZ, c/o Estefano & Associates, P.A. Trust Account, 9200 S. Dadeland Blvd., Suite 204, Miami, FL 33156.

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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of January, 2009. 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

James K. Kracht