

MEMORANDUM

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

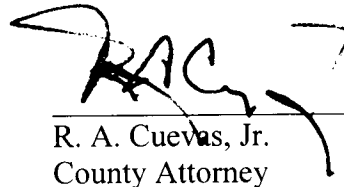
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 4, 2011

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

SUBJECT: Resolution amending Resolution No. R-1227-03 to correct the size of the property and modify the minimum sale amount of surplus County-owned property located at the Southeast Corner of NW 5 Ave. and NW 82 St. and identified by Folio Number 30-3112-023-1000

The accompanying resolution was prepared by the General Services Administration Department and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.




R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: October 4, 2011
To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners
From: Carlos A. Gimenez
Mayor 
Subject: Amending Resolution No. R-1227-03 for the purposes of modifying the size and
minimum sale amount of surplus County-owned property located at the Southeast
corner of NW 5 Ave. and NW 82 St., Miami
Folio Number: 30-3112-023-1000

Recommendation

It is recommended that the Board amend Resolution No. R-1227-03 for the purposes of modifying the size and the minimum sale amount of surplus County-owned property.

Scope

COMMISSION DISTRICTS: 2

COMMISSION DISTRICT (S)
IMPACTED: 2

Background:

MANAGING DEPARTMENT: General Services Administration (GSA)

FOLIO NUMBER: 30-3112-023-1000

LOT SIZE: 6,631 Square Feet

LOCATION: Southeast Corner of NW 5 Avenue and NW 82 Street, Miami, FL

2010 TAX ASSESSED VALUE: \$33,254.00

ZONING: RU-2 (Duplexes – General)

MINIMUM SALE AMOUNT: The property will be offered for sale for no less \$33,254.00 which is equal to the property's tax assessed value for the year 2010. In the event the property does not sell at that amount and the assessed value goes down, the minimum sale amount may be reduced to the new assessed value.

JUSTIFICATION: Resolution No. R-1227-03, approved by the Board on November 3, 2003, declared surplus an 11,949 square foot parcel of County-owned land and authorized the sale of same via competitive bidding for no less than \$21,888.00. It was subsequently discovered that the size of the property was 6,631 square feet. Additionally, the assessed value of the property has increased to \$33,254.00.

The adjacent property owner, New Evangelical Missionary Church of God, has expressed interest in purchasing the property. The property was recently circulated to all County Departments and no County use was identified.

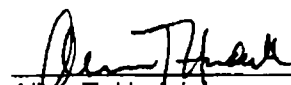
FISCAL IMPACT: The sale of this property will eliminate the County's obligation to maintain the property, which costs approximately \$300 per year. If the church is the successful bidder, no tax revenue will be realized. However, if it is purchased by another entity without tax exempt status, the property will generate approximately \$729 in annual tax revenue.

COMMENTS: Since the size of the property has been modified as well as its assessed value, the County Attorney's Office has opined that Resolution No. R-1227-03 must be amended prior to offering the property for sale. Attached for your reference is a copy of Resolution No. R-1227-03.

Track Record/Monitor

MONITOR: Carmen O. Gomez, Real Estate Officer

DELEGATED AUTHORITY: Authorizes the County Mayor or County Mayor's designee to sell the property via competitive bidding for no less than the 100% of the property's tax assessed value at the time of sale.



Alina T. Hudak
Deputy Mayor/County Manager





MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 4, 2011

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

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

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(1)(D)
10-4-11

RESOLUTION NO. _____

RESOLUTION AMENDING RESOLUTION NO. R-1227-03 TO CORRECT THE SIZE OF THE PROPERTY AND MODIFY THE MINIMUM SALE AMOUNT OF SURPLUS COUNTY-OWNED PROPERTY LOCATED AT THE SOUTHEAST CORNER OF NW 5 AVE. AND NW 82 ST. AND IDENTIFIED BY FOLIO NUMBER 30-3112-023-1000

WHEREAS, on November 10, 2003 the Board passed Resolution No. R-1227-03 declaring surplus county-owned property located at the Southeast corner of NW 5 Ave. and NW 82 Street, Miami, and identified by folio number 30-3112-023-1000, and authorized the public sale of same to the highest bidder; and

WHEREAS, the size of the property and minimum sale amount of the property have changed; and

WHEREAS, the Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board adopts the foregoing recitals and amends Resolution No. R-1227-03 for the purposes of modifying the size of the property to 6,631 square feet and authorizing the minimum sale amount of surplus County owned property at the current assessed value as of the date of the sale.

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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of October, 2011. 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.: 30-3112-023-1000

COUNTY DEED

THIS DEED, made this day of , 2011 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. 1st Street Suite 17-202, Miami, Florida 33128-1963 and the party of the second part, whose address is , Miami, Florida.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars and no/100 (\$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, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida (the "Property"):

LOT 7 LESS PORT OF NE COR FOR R/W BLOCK 7, BELLCAMP MANOR, ACCORDING TO THE Plat thereof recorded in Plat Book 11 at Page 33 of the Public Records of Miami-Dade County, Florida also identified on Folio #30-3112-023-1000

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.

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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 Chairperson or Vice Chairperson 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: _____
Joe A. Martinez, Chairman

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 _____, 2011.

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MEMORANDUM

Agenda Item No. 7(F)(1)(C)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners DATE: November 4, 2003

FROM: George M. Hughes, County Manager  SUBJECT: Sale of County-Owned Property Located Adjacent to 450 NW 82 Street Folio: 30-3112-023-1000

RECOMMENDATION

It is recommended that the Board declare the described County-owned property surplus and approve the sale of same via competitive bidding.

MANAGING DEPARTMENT: General Services Administration (GSA)
FOLIO NUMBER: 30-3112-023-1000
SIZE: (128.480 X 93) ~~11,949~~ square feet
LOCATION: Adjacent to 450 NW 82 Street (see attached sketch)
DATE ACQUIRED: July 17, 2001, by Tax Deed
ZONING: RU-2 (Duplexes- General)
MINIMUM SALE AMOUNT: The property will be sold at not less than the current year's assessed market value of \$21,888.00.

JUSTIFICATION: The Planning Advisory Board reviewed the property on April 7, 2003 and recommended that this property be declared surplus to County needs and made available for sale via competitive bidding at a minimum sale price of \$21,888.00. Staff has determined, by circulation to County departments, that this parcel is not needed for any County purpose. This property was reviewed and released by the Miami-Dade Housing Agency (Infill Housing Initiative) to GSA on February 25, 2002.


Assistant County Manager

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(F)(1)(C)
11-4-03

RESOLUTION NO. R-1227-03

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTY LOCATED ADJACENT TO 450 NW 82 STREET; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; AUTHORIZING THE COUNTY MANAGER TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE

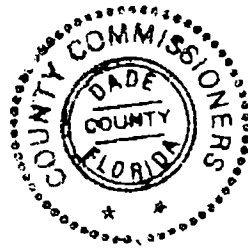
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, for the property described in the accompanying County Deed, copies of which are incorporated herein by reference,

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 adjacent to 450 NW 82 Street in Miami-Dade County; authorizes the sale via competitive bidding for same; authorizes conveyance to the successful high bidder; authorizes the County Manager to take all actions necessary to accomplish the sale of said property, legally described in 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 **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson		aye	
Katy Sorenson, Vice-Chairperson		aye	
Bruno A. Barreiro	absent	Jose "Pepe" Diaz	aye
Betty T. Ferguson	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Jimmy L. Morales	aye
Dennis C. Moss	absent	Dorin D. Rolle	aye
Natacha Seijas	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of November, 2003. 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

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "T. Goldstein", written over a horizontal line.

Thomas Goldstein

By: **KAY SULLIVAN**
Deputy Clerk

Instrument prepared under the direction of
Thomas Goldstein, Assistant County Attorney:
111 N.W. 1 Street, 28 Floor
Miami, Florida 33128-1907

Folio No. 30-3112-023-1000

COUNTY DEED

THIS DEED, made this day of , 2003 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 ,party of the second part, whose address is , Miami, Florida.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Dollars and no/100 (\$) 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 Dade County, Florida:

LOT 7 LESS PORT OF NE COR FOR R/W BLOCK 7, BELLCAMP MANOR, according to the Plat thereof recorded in Plat Book 11 at Page 33 of the Public Records of Miami-Dade County, Florida, also identified as Folio # 30-3112-023-1000

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

DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Mayor

Approved for legal sufficiency. _____

The foregoing was authorized and approved by Resolution No. R- _____ of the Board of County
Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 2003.