

MEMORANDUM

Agenda Item No. 11(A)(1)

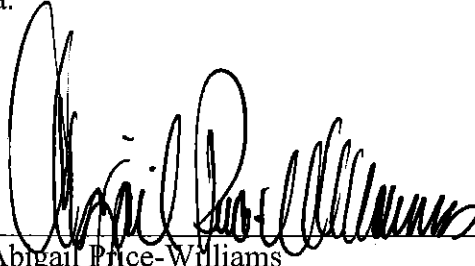
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing conveyance to the United States of America through its National Park Service of County-owned property (Folio No. 30-6022-000-0010) located north of Black Point Marina at no cost and in accordance with Florida Statute Section 125.38 in order to assist with the ecological restoration of Biscayne Bay as part of the Comprehensive Everglades Restoration Plan; authorizing the Chairperson or Vice-Chairperson of the Board to execute a County Deed for such purposes; waiving Administrative Order 8-4 as it relates to review by the Planning Advisory Board; and authorizing the County Mayor to take all actions necessary to accomplish the conveyance of property and to enforce the provisions set forth in the County Deed

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(1)

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
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor'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. 11(A)(1)
7-6-16

RESOLUTION NO. _____

RESOLUTION AUTHORIZING CONVEYANCE TO THE UNITED STATES OF AMERICA THROUGH ITS NATIONAL PARK SERVICE OF COUNTY-OWNED PROPERTY (FOLIO NO. 30-6022-000-0010) LOCATED NORTH OF BLACK POINT MARINA AT NO COST AND IN ACCORDANCE WITH FLORIDA STATUTE SECTION 125.38 IN ORDER TO ASSIST WITH THE ECOLOGICAL RESTORATION OF BISCAYNE BAY AS PART OF THE COMPREHENSIVE EVERGLADES RESTORATION PLAN; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSES; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF PROPERTY AND TO ENFORCE THE PROVISIONS SET FORTH IN THE COUNTY DEED

WHEREAS, the National Park Service, an agency of the Department of the Interior of the United States, which maintains and preserves Biscayne National Park, has requested that the County convey a 44.55-acre County-owned parcel, located just north of Black Point Marina, bearing Folio No. 30-6022-000-0010, also known as Otter Corner, to the National Park Service (hereinafter, the "Property"); and

WHEREAS, the Property is located within the footprint of the Biscayne Bay Wetlands Phase I, which is the part of the Comprehensive Everglades Restoration Plan that seeks to ecologically restore Biscayne Bay; and

WHEREAS, due to a flowage easement granted to the South Florida Water Management District by the County through Miami-Dade County Resolution No. R-764-08, the Property is already being utilized as part of the Biscayne Bay Wetlands Phase I; and

WHEREAS, the County is satisfied that the Property will continue to be used for said purpose if conveyed to the United States and that the intended use would promote community interest and welfare; and

WHEREAS, pursuant to Section 125.38 of the Florida Statutes, the County is satisfied that the conveyance of the Property to the United States serves the best interest of the public and the County; and

WHEREAS, the County is not using the Property for any County purpose and does not foresee using the Property for any County purpose; and

WHEREAS, pursuant to Administrative Order 8-4, Miami-Dade County Internal Services Department has announced the availability of the Property to all County departments, and no County department has expressed an interest in the Property; and

WHEREAS, this Board has reviewed and is satisfied with the information submitted in accordance with Resolution No. R-333-15 regarding the Property, which information is attached hereto as Exhibit 1 and incorporated herein by reference; and

WHEREAS, the Board desires to grant the County Mayor or County Mayor's designee the authority to take all actions necessary to accomplish the conveyance of the Property, which Property is legally described in Exhibit A of the accompanying County Deed, which is attached hereto as Exhibit 2,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board ratifies and adopts the matters set forth in the foregoing recitals.

Section 2. This Board approves the conveyance, at no cost, of the Property to the United States of America, through its National Park Services, to be used for the ecological restoration of Biscayne Bay and for other park purposes, pursuant to Section 125.38 of the Florida Statutes; waives Administrative Order 8-4 as it relates to review by the Planning Advisory Board; authorizes the Chairperson or Vice-Chairperson of the Board, pursuant to Section 125.411, Florida Statutes, to execute the County Deed in substantially the form attached as Exhibit "2;" and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate this conveyance and to exercise all rights set forth in the County Deed, including recording an instrument in the Public Record of Miami-Dade County.

Section 3. This Board directs the County Mayor or County Mayor's designee to appoint staff to monitor compliance with the terms of this conveyance.

Section 4. This Board directs the County Mayor or County Mayor's designee, pursuant to Resolution No. R-974-09, to record the instrument of conveyance accepted herein in the Public Records of Miami-Dade County, Florida and to provide a recorded copy of the instrument to the Clerk of the Board within 30 days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy of said instrument together with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It 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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of July, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

SED

Sarah E. Davis

**IMPORTANT
MESSAGE**

When buying real estate property, you should not assume that property taxes will remain the same. Whenever there is a change in ownership, the assessed value of the property may reset to full market value, which could result in higher property taxes. Please use our Tax Estimator to approximate your new property taxes.

The Property Appraiser does not send tax bills and does not set or collect taxes. Please visit the Tax Collector's website directly for additional information.

Address

Owner Name

Folio

SEARCH:

30-6022-000-0010

**PROPERTY INFORMATION**

Folio: 30-6022-000-0010

Sub-Division:

Property Address

Owner

 MIAMI-DADE COUNTY
 WATER AND SEWER

Mailing Address

 3071 SW 38 AVE
 MIAMI, FL 33146-1520

Primary Zone

8900 INTERIM-AWAIT SPECIFIC ZO

Primary Land Use

8080 VACANT GOVERNMENTAL : VACANT LAND - GOVERNMENTAL

Beds / Baths / Half

0 / 0 / 0

Floors

0

 PENGAD 800-631-6969
 1

EXHIBIT

Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	8,164,886.4 Sq.Ft
Year Built	0

**Featured Online Tools**[Comparable Sales](#)[Glossary](#)

Non-Ad Valorem Assessments
 Property Record Cards
 Property Taxes
 Report Homestead Fraud
 Tax Estimator
 Value Adjustment Board

PA Additional Online Tools
 Property Search Help
 Report Discrepancies
 Tax Comparison
 TRIM Notice

ASSESSMENT INFORMATION

Year	2015	2014	2013
Land Value	\$679,755	\$679,755	\$679,755
Building Value	\$0	\$0	\$0
Extra Feature Value	\$0	\$0	\$0
Market Value	\$679,755	\$679,755	\$679,755
Assessed Value	\$679,755	\$679,755	\$679,755

TAXABLE VALUE INFORMATION

	2015	2014	2013
COUNTY			
Exemption Value	\$679,755	\$679,755	\$679,755
Taxable Value	\$0	\$0	\$0
SCHOOL BOARD			
Exemption Value	\$679,755	\$679,755	\$679,755
Taxable Value	\$0	\$0	\$0
CITY			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
REGIONAL			
Exemption Value	\$679,755	\$679,755	\$679,755
Taxable Value	\$0	\$0	\$0

BENEFITS INFORMATION

Benefit	Type	2015	2014	2013
County	Exemption	\$679,755	\$679,755	\$679,755

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

FULL LEGAL DESCRIPTION

22 56 40 187.44 AC

LOTS 1-2-3 LESS BLACK CREEK

CANAL R/W

LOT SIZE IRREGULAR

OR 14105-0538 0589 3

SALES INFORMATION

Previous Sale	Price	OR Book-Page	Qualification Description
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For more information about the Department of Revenue's Sales Qualification Codes.

2015	2014	2013
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LAND INFORMATION

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	GU	8900 - INTERIM-AWAIT SPECIFIC ZO	Acres	47.43	\$189,720
GENERAL	AU	9000 - AGRICULTURE	Acres	140.01	\$490,035

BUILDING INFORMATION

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
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EXTRA FEATURES

Description	Year Built	Units	Calc Value
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ADDITIONAL INFORMATION

* The information listed below is not derived from the Property Appraiser's Office records. It is provided for convenience and is derived from other government agencies.

LAND USE AND RESTRICTIONS

Community Development District: NONE
Community Redevelopment Area: NONE
Empowerment Zone: NONE
Enterprise Zone: NONE
Urban Development: OUTSIDE URBAN DEVELOPMENT BOUNDARY
Zoning Code: GU - INTERIM DISTRICT - USES DEPEND ON CHARACTER OF NEIGHBORHOOD, OTHERWISE EU-2 STANDARDS APPLY
Existing Land Use: 580 - OTHER NATURE PRESERVES AND PROTECTED AREAS (STATE MANGROVE PRESERVES, TURKEY POINT WILDERNESS AREA, GREAT CYPRESS SWAMP PRESERVES, AND ACQUIRED GOVERNMENT OWNED EEL SITES).
 Government Agencies and Community Services

OTHER GOVERNMENTAL JURISDICTIONS

Business Incentives
 Childrens Trust
 Environmental Considerations
 Florida Department Of Revenue
 Florida Inland Navigation District
 Miami-Dade County
 PA Bulletin Board
 Non-Ad Valorem Assessments
 School Board
 South Florida Water Mgmt District
 Tax Collector

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

For inquiries and suggestions email us at <http://www.miamidade.gov/PAPortal/ContactForm/ContactFormMain.aspx>.

Version: 2.0.3

EXEMPTIONS & BENEFITS

Deployed Military

Disability Exemptions

Homestead

Institutional

Senior Citizens

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40 Yr Building

Re-Certification

Appealing Your Assessment

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Folio Numbers

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Assessment Information Search

Exemptions

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[Change of Ownership & Title](#)

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[Tax Comparison](#)

[Homestead Exemption and Portability](#)

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TAX ROLL ADMINISTRATION

[Appealing your Assessment](#)

[Reports](#)

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Return to:
Liliana M. Rainey-Lacau, Real Estate Manager
Miami-Dade Water & Sewer Department
3071 SW 38th Ave (Le Jeune Rd. 2nd Floor)
Miami, Florida 33146

COUNTY DEED

THIS DEED, made this _____ day of _____, 20__ A.D. by and between 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 33128-1970, and the United States of America whose address is c/o National Park Service, Land Resources Division, 1849 C Street, NW (2540), Washington, D.C., 20240-0001, party of the second part,

WITNESSETH:

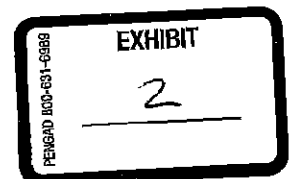
That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$ 10.00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida, to-wit:

See Attached - Exhibit A

This conveyance is subject to the property being used for public purpose—specifically, the ecological restoration of Biscayne Bay as part of the Comprehensive Everglades Restoration Plan and as part of the National Park System—and if no longer used for said purposes, shall automatically revert to the County.

This deed 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 Chairperson of said Board,
the day and year aforesaid.

ATTEST:

HARVEY RUVIN, CLERK

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

By: _____
Deputy Clerk

By: _____
Jean Monestime, Chair

The foregoing was authorized and approved by Resolution No. _____ of the Board of
County Commissioners of Miami-Dade County, Florida, on the _____ day of _____,
A.D. 20____.

Exhibit "A"
MIAMI-DADE COUNTY
SEC.22-TWP.56S-RGE.40E

Property Legal Description
(Biscayne National Park - Tract 105-12)

A portion of Government Lots 1 and 2, of Section 22 Township 56 South
Range 40 East in Miami-Dade County, State of Florida,
more particularly described as :

Beginning at the Northeast corner of Section 22, Township 56 South,
Range 40 East; thence along the Southeasterly line of Government
Lots 1 and 2, South 58 degrees 22 minutes 34 seconds West
for a distance of 3,500.00 feet; thence due North for a distance of 400.00 feet;
thence North 30 degrees East for a distance of 600.00 feet; thence
North 45 degrees East for a distance of 1,259.37 feet to the intersection with
the North line of said Section 22; thence along said North line,
North 89 degrees 11 minutes 51 seconds East, for a distance of 1,789.94 feet
returning to the Point of Beginning, containing an area of ± 44.55 Acres, all the
foregoing lying and being in Miami-Dade County, Florida.

Subject to: An easement for flowage and inundation (OR26532PG1486)



Certified to:
United States of America, National Park Service
Miami-Dade County, Florida

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S.B. Elrubale, PSM, LS6394
Date: 05/11/2016

THIS IS NOT A FIELD SURVEY - but a sketch based on a Survey
 This Sketch based on: McKay Survey dated April 26, 1894
 Published Section Corners shown per Ft. DES Labins website
 Stewart Title Guaranty Company Title Policy - File 27223 -
 Order 18061 - dated March 31, 2016

Property Sketch and Description (Biscayne National Park - Tract 105-12)

A portion of Government Lots 1 and 2,
 Section 22, Township 56 South Range 40 East

South Florida Water Management District

NW Corner Sec 22
 Record #089819 - 2006
 N443429.8574, E876964.3515
 3" Iron Pipe

SFWMD
 OR123185/PG488
 36-6013-000-0020

NE Corner Sec 22
 Record #089821 - 2006
 N443473.8090, E879228.5318
 Conc. Mon. Nail 1/4" x 3"

South Florida Water Management District
 SFWMD
 OR23165/PG3488
 36-6015-000-0020

NE Corner Sec 22
 Record #089822 - 2006
 N44387.872, E881951.011
 Brass Disc in Concrete Mon.

Lot 3
 ±43.64 Acres

Lot 2
 ±46.60 Acres

Lot 1
 ±47.60 Acres

"Parent Parcel"
 Gov't Lots 1, 2 and 3
 30-6022-000-0010
 OR14105/PG538
 ±187.44 Acres
 Remainder ± 142.89 Acres

MIAMI-DADE COUNTY WATER AND SEWER

Biscayne National Park
 Tract 105-13

Biscayne National Park
 Tract 105-12
 844.55 Acres

STATE OF FLORIDA - BTHFF
 No Folio/Parcel ID

NPS Tract 105-12

A portion of Government Lots 1 and 2, of Section 22, Township 56 South
 Range 40 East in Miami-Dade County, State of Florida,
 more particularly described as:

Beginning at the Northeast corner of Section 22, Township 56 South,
 Range 40 East; thence along the Southeastery line of Government
 Lots 1 and 2, South 56 degrees 22 minutes 34 seconds West
 for a distance of 3,500.00 feet; thence due North for a distance of 400.00 feet; thence
 North 30 degrees East for a distance of 600.00 feet; thence
 North 45 degrees East for a distance of 1,259.37 feet to the intersection with the North
 line of said Section 22; thence along said North line,
 North 89 degrees 11 minutes 51 seconds East, for a distance of 1,789.94 feet returning
 to the Point of Beginning, containing an area of ±44.55 Acres; all the foregoing lying and
 being in Miami-Dade County, Florida.

Subject to: An easement for towage and inundation (OR26392PG1485)

STATE OF FLORIDA - BTHFF
 No Folio/Parcel ID

Biscayne National Park
 Tract 105-13

Biscayne National Park
 Boundary - PL96-287

Biscayne National Park
 Boundary - PL96-287

Biscayne National Park
 Boundary - PL96-287

Biscayne National Park
 Boundary - PL96-287

Biscayne National Park
 Boundary - PL96-287

NOTES:

1. Basis of bearings is North 89°11'51" East for the North line of the Northeast Corner of Section 22, Township 56 South, Range 40 East.
2. Not valid without signature and raised seal of a Florida Licensed Surveyor and Mapper.
3. Property is located in a "AE" flood zone, elevation 11 NAVD88 per FEMA 1306C-0612L dated 09/11/2009.
4. Liability is limited to the cost of services provided.

Certified for
 United States of America National Park Service
 Miami-Dade County, Florida

Exhibit "A"

LEGEND

- Taken on File
- Concrete Measurement
- DB - Disc Book
- OR - Official Record
- PS - Plot Book
- PG - Page
- PL - Public Law

S.B. Brubaker, PSM, L56394
 Date: 05/11/2016