

MEMORANDUM

Agenda Item No. 11(A)(10)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

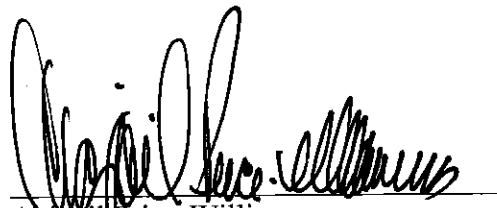
DATE: April 10, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring surplus Miami-Dade County Owned property legally described as Flamingo Park PB 18-28, Lots 24 & 25, Block 1 and identified by Folio Number 30-6913-005-0073; waiving review of this action by the Planning Advisory Board, as prescribed by Administrative Order 8-4; approving the conveyance of the same to former owner Elijah Dukes in accordance with section 197.592(1) of the Florida Statutes; and authorizing the County Mayor to take actions necessary to accomplish said conveyance; and authorizing execution of a County Deed for such purpose

A substitute was presented and forwarded to the BCC with a favorable recommendation at the 3-13-18 Government Operations Committee. This substitute differs from the original version in that it lists the value of the subject property as provided by the Property Appraiser's website.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



Abigail Price-Williams
County Attorney

APW/smm

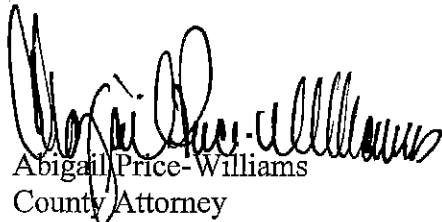


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: April 10, 2018

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Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(10)

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)(10)
4-10-18

RESOLUTION NO. _____

RESOLUTION DECLARING SURPLUS MIAMI-DADE COUNTY OWNED PROPERTY LEGALLY DESCRIBED AS FLAMINGO PARK PB 18-28, LOTS 24 & 25, BLOCK 1 AND IDENTIFIED BY FOLIO NUMBER 30-6913-005-0073; WAIVING REVIEW OF THIS ACTION BY THE PLANNING ADVISORY BOARD, AS PRESCRIBED BY ADMINISTRATIVE ORDER 8-4; APPROVING THE CONVEYANCE OF THE SAME TO FORMER OWNER ELIJAH DUKES IN ACCORDANCE WITH SECTION 197.592(1) OF THE FLORIDA STATUTES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ACTIONS NECESSARY TO ACCOMPLISH SAID CONVEYANCE; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, Florida Statute 197.592(1) states that land acquired by any County of the State for delinquent taxes in accordance with the law may, at the Board's discretion, be re-conveyed to the record owner at the time the property escheated to the County upon such owner meeting certain conditions, including but not limited to paying an amount equal to all taxes, including municipal taxes, liens, together with such costs and interest provide by law; and

WHEREAS, on September 14, 2016, pursuant to the Escheatment Tax Deed attached hereto as Exhibit A, the real property legally described as Flamingo Park PB 18-28, Lots 24 & 25, Block 1, and identified by folio number 30-6913-005-0073 (the "Property"), escheated to the County for non-payment of taxes; and

WHEREAS, at the time of the escheatment to the County, Elijah Dukes was the record fee simple owner of the Property; and

WHEREAS, according to the official records of Miami-Dade County, Florida, Mr. Dukes acquired the Property in 1979; and

>>WHEREAS, no appraisal of the Property has been conducted, but the value of the Property as stated on the Miami-Dade County Property Appraiser's website is \$49,700.00; and<<¹

WHEREAS, the amount of delinquent taxes, costs and interest due if paid in March, 2018 is \$16,166.34, and will continue to accrue additional amounts each month; and

WHEREAS, Mr. Dukes has expressed his willingness to meet the conditions required by section 197.592(1) of the Florida Statutes, including but not limited to the payment of any delinquent amounts required by such statute,

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

Section 1. This Board adopts and incorporates the matters set forth in the foregoing recitals as if set forth herein.

Section 2. This Board declares: (1) that the Property will, upon his meeting all of the conditions required by section 197.592(1) of the Florida Statutes, be conveyed to the prior fee simple owner, Elijah Dukes; (2) that the subject property is surplus to County needs; and (3) that Administrative Order 8-4 pertaining to the review by the Planning Advisory Board is hereby waived.

Section 3. This Board authorizes the County Mayor or County Mayor's designee to take all actions necessary to accomplish the conveyance of the Property pursuant to this resolution by County Deed, in a form approved by the County Attorney's Office, and authorizes for such purposes the execution of said County Deed by this Board acting by the Chairperson or Vice Chairperson of this Board. The authorizations provided in this resolution expire within 120 days of the effective date of this resolution.

¹ The differences between the substitute and the original item are indicated as follows: Words double stricken through and/or [[double bracketed]] are deleted, words underlined and/or >>double arrowed<< are added.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. 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:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
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 10th day of April, 2018. 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.

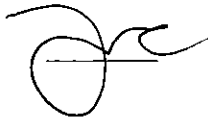
MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve



Tax Deed File Number: 2011A00399
 Property Identification No.: 30-6913-005-0073

CFN 2016R0543433
 DR BK 30233 Pg 3089 1 Pgs
 RECORDED 09/16/2016 13:46:57
 HARVEY RUVIN, CLERK OF COURT
 MIAMI-DADE COUNTY, FLORIDA

ESCHEATMENT
 TAX DEED
 TO MIAMI-DADE COUNTY

STATE OF FLORIDA
 COUNTY OF MIAMI-DADE

This Tax Deed is issued pursuant to Section 197.502(8), Florida Statutes wherein three (3) years have passed from the day the subject land was offered for public sale and placed on the list of "Lands Available for Taxes" in accordance with Section 197.502(7), Florida Statutes, without having been purchased. As provided in Section 197.502(8), Florida Statutes, the property hereby escheats to the County free and clear of any and all tax certificates, tax liens or any other liens of record, including governmental liens, which liens are hereby deemed cancelled pursuant to said statute.

On this 14th day of SEPTEMBER, 2016 the undersigned Clerk conveys to Miami-Dade County through its Board of County Commissioners, whose address is:

111 NW 1st Street,
 Miami, Florida 33128

Together with all hereditaments, buildings, fixtures and improvements of any kind and description, the following legally described land situated in Miami-Dade County, Florida:

FLAMINGO PARK PB 18-28 LOTS 24 & 25 BLK 1 LOT SIZE 100.00 X 142.00 OR 10530-0572 0779 1

Witnessed by:

Monica De La Cruz
 Monica De La Cruz e212109

Velinda Brown
 Velinda Brown e105015

HARVEY RUVIN
 Clerk of the Circuit Court
 Miami-Dade County, Florida

BY: Sandra Hernandez
 Deputy Clerk 24037



BEFORE ME, the undersigned notary public, personally appeared Sandra Hernandez, Deputy Clerk of the Circuit Court in and for Miami-Dade County, Florida, who is personally known to me and who acknowledged the execution of this instrument to be of her own free act and deed for the uses and purposes therein mentioned.

SWORN TO AND SUBSCRIBED BEFORE ME ON SEPTEMBER 14, 2016

[Signature]
 Notary Public, State of Florida, At Large
 My Commission Expires:

This Instrument prepared by: Daniel Calixte e33038
 Deputy Clerk of the Circuit Court of Miami-Dade County, Florida

