

MEMORANDUM

Agenda Item No. 11(A)(5)

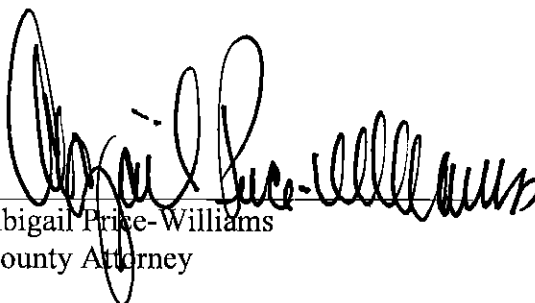
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: December 17, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring surplus County-owned real property located at NW 62 Street between NW 15 Avenue and NW 17 Avenue (Folio No. 01-3114-035-2035); authorizing the private sale of said property to the adjacent property owner pursuant to Florida Statutes section 125.35(2), for no less than a minimum bid of \$2,500.00; waiving Administrative Order No. 8-4 as it relates to review by the Planning Advisory Board; authorizing the County Mayor to take all actions necessary to accomplish the sale of said property; and authorizing the Chairperson or Vice-Chairperson of the Board to execute a County Deed for such purpose

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Audrey M. Edmonson.


Abigail Price-Williams
County Attorney

APW/uw



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: December 17, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(5)
12-17-19

RESOLUTION NO. _____

RESOLUTION DECLARING SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED AT NW 62 STREET BETWEEN NW 15 AVENUE AND NW 17 AVENUE (FOLIO NO. 01-3114-035-2035); AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY TO THE ADJACENT PROPERTY OWNER PURSUANT TO FLORIDA STATUTES SECTION 125.35(2), FOR NO LESS THAN A MINIMUM BID OF \$2,500.00; WAIVING ADMINISTRATIVE ORDER NO. 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 THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, the County owns a parcel of land located at NW 62 Street between NW 15 Avenue and NW 17 Avenue (Folio No. 01-3114-035-2035) in Miami-Dade County, as depicted and described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Miami-Dade County Internal Services Department has performed due diligence as set forth in Exhibit "B" attached hereto, and has determined that the Property is non-buildable due to failure to meet minimum lot size requirements; and

WHEREAS, this Board finds that due to such restrictions, a building permit for any type of development would not be issued on the Property, and the Property is of use only to an adjacent property owner; and

WHEREAS, conveyance of the Property would place the Property back on the tax rolls resulting in the payment of taxes, and additionally, the County would no longer be required to pay for maintenance or upkeep; and

WHEREAS, the Property has been circulated to all County departments for possible use, and it has been determined that the County departments have no need for the Property, which is therefore declared surplus; and

WHEREAS, pursuant to section 125.35(2) of the Florida Statutes, the Board has determined that it is in the best interest of the County to sell the Property to the adjacent property owner; and

WHEREAS, pursuant to section 125.35(2) of the Florida Statutes, in order to encourage the disposition and development of the Property, which has been owned by the County since 1976, the Property will be offered for sale to the sole adjacent property owner, with a minimum sale amount of \$2,500.00,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. Pursuant to Section 125.35(2) of the Florida Statutes, this Board hereby: (i) declares the Property surplus; (ii) authorizes the sale to the adjacent property owner for no less than \$2,500.00; and (iii) authorizes the County Mayor or the County Mayor's designee to take all actions necessary to accomplish the sale of the Properties.

Section 3. This Board waives Administrative Order No. 8-4 as it relates to review by the County's Planning Advisory Board.

Section 4. This Board authorizes the Chairperson or Vice-Chairperson of the Board to execute a County Deed for each Property for the purposes described herein in substantially the form attached hereto as Exhibit "C."

Section 5. This Board directs the County Mayor or the County Mayor's designee to appoint staff to monitor compliance with the terms set forth herein.

The Prime Sponsor of the foregoing resolution is Chairwoman Audrey M. Edmonson. 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:

- | | |
|--------------------------------|----------------------|
| Audrey M. Edmonson, Chairwoman | |
| Rebeca Sosa, Vice Chairwoman | |
| Esteban L. Bovo, Jr | Daniella Levine Cava |
| Jose "Pepe" Diaz | Sally A. Heyman |
| Eileen Higgins | Barbara J. Jordan |
| Joe A. Martinez | Jean Monestime |
| Dennis C. Moss | Sen. Javier D. Souto |
| Xavier L. Suarez | |

The Chairperson thereupon declared this resolution duly passed and adopted this 17th day of December, 2019. 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.



Lauren E. Morse

EXHIBIT "A"

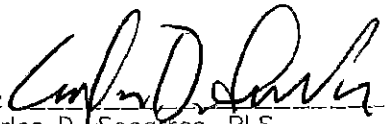
Legal Description:

The South 20.00 feet of the North 30.00 feet of Lots 21 through 28, Block 11 of ORANGE HEIGHTS, according to the plat thereof recorded in Plat Book 14, at page 62 of the Public Records of Miami-Dade County, Florida, less that portion of Lot 28 which lies within the external area formed by a 25.00 foot radius arc concave to the Southwest, tangent to the East line of said Lot 28, and tangent to the South line of the North 10.00 feet of said Block 11.

Containing 3,869 Square Feet or 0.089 Acres more or less.

SURVEYOR'S NOTE:

Bearings as shown hereon refer to a bearing of S89°20'58"E along the the center line of NW 62 Street (MARTIN LUTHER KING BLVD.) as shown on Right of Way Map 101 Page 6 of the Public Records of Miami-Dade County, Florida.

By: 
Carlos D. Socarras, PLS
Professional Land Surveyor No. 4953
State of Florida

For: Miami-Dade County Public Works
and Waste Management Dept.
Land Development/Right-of-Way Division
Engineering Section
111 NW 1 Street, Suite 1610
Miami, Florida 33128-1970

NOTICE: Unless it bears the signature and the original raised seal of a Florida licensed Surveyor and Mapper, this sketch is for informational purposes only and is not valid.



THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
MIAMI-DADE COUNTY DEPARTMENT
OF TRANSPORTATION AND PUBLIC WORKS
RIGHT OF WAY DIVISION
ENGINEERING SECTION

Martin Luther King Blvd.
NW 62 St & NW 15 Ave

SCALE: N/A	DATE: 10-7-19
CHECKED BY: C. Socarras	
DRAWN BY: L. Espinosa	
PROJECT:	SHEET: 1 of 2

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Exhibit "B"

LOT INFORMATION IN ACCORDANCE WITH RESOLUTION R-376-11 AND R-333-15

Folio	Annual Tax Revenue Generated	Lot Size Sq. Ft.	Comm District	2019 Market Value	Legal Description	Zoning	Annual Cost to Maintain	Address	Circulated To County Departments	Surplus	Deed Type
0131140352035	\$825.89	3,869	3	\$38,690.00	The South 20.00 feet of the North 30.00 feet of Lots 21 through 28, Block 11 of ORANGE HEIGHTS, according to the plat thereof recorded in Plat Book 14 at Page 62 of the Public Records of Miami-Dade County, Florida, less that portion of Lot 28 which lies within the external area formed by a 25.00 foot radius arc concave to the Southwest, tangent to the East Line of said Lot 28, and tangent to the South line of the North 10.00 feet of said Block 11	T6-8-O	\$149.00	ADJACENT NORTH OF 1500 NW 62 STREET	11/4/2019	NO	SPECIAL WARRANTY DEEDS 3/26/1976 4/01/1976

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Instrument prepared by:
Miami-Dade County Internal Services Department
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128

Folio No. 01-3114-035-2035

COUNTY DEED

THIS DEED, made this day of , 20 A.D. by MIAMI-DADE COUNTY, a Political Subdivision of the State of Florida, party of the first part, whose address is Stephen P. Clark Center, 111 NW 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 Ten Dollars and 00/100 (\$10.00) to it in hand paid by the parties of the second part, receipt whereof is hereby acknowledged has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, the following legally described land lying and being in Miami-Dade County, Florida

As legally described in Exhibit "A" attached hereto and made part hereof:

THIS CONVEYANCE IS SUBJECT TO all zoning, rules, regulations and ordinances and other prohibitions imposed by any governmental authority with jurisdiction over the Property; existing public purposes utility and governmental easements and rights of way and other matters of record; taxes for the year of closing and subsequent years and the following restrictions:

This grant conveys only the interest of Miami-Dade 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 or Vice Chairperson of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:
HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Chairwoman or Vice Chairwoman

Approved for legal sufficiency. _____
Lauren E. Morse, Assistant County Attorney

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

EXHIBIT A

Legal Description

The South 20.00 feet of the North 30.00 feet of Lots 21 through 28, Block 11 of ORANGE HEIGHTS, according to the plat thereof recorded in Plat Book 14 at Page 62 of the Public Records of Miami-Dade County, Florida, less that portion of Lot 28 which lies within the external area formed by a 25.00 foot radius arc concave to the Southwest, tangent to the East Line of said Lot 28, and tangent to the South line of the North 10.00 feet of said Block 11.

Containing 3,869 square-feet or 0.089 acres, more or less.