Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.13(A)(1)
07-24-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-890-07

RESOLUTION AUTHORIZING CERTAIN SETTLEMENTS IN COUNTY EMINENT DOMAIN PROCEEDINGS BY COUNTY ATTORNEY IN CONNECTION WITH THE ACQUISITION OF LAND NEEDED FOR THE CONSTRUCTION OF S.W. 157th AVENUE, SOUTH OF S.W. 120th STREET FOR APPROXIMATELY ½ MILE; AND FOR THE CONSTRUCTION OF S.W. 136th STREET, WEST OF 157th AVENUE FOR APPROXIMATELY 2000 FEET IN MIAMI-DADE COUNTY, FLORIDA

WHEREAS, this Board by Resolution No. 175-05, dated February 1, 2005, previously declared the acquisition of land needed for the construction of S.W. 157th Avenue, south of S.W. 120th Street for approximately ½ mile; and for construction of S.W. 136th Street, west of 157th Avenue for approximately 2000 feet, in Miami-Dade County, Florida, to be a public necessity and authorized the acquisition of land therefor by eminent domain proceedings; and

WHEREAS, the owners of the parcels of land set forth in the attached land acquisition summary sheet have offered to settle for the settlement figures specified therein; and

WHEREAS, the County Attorney hereby recommends the settlement amounts set forth in the attached land acquisition summary sheet,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Attorney is hereby authorized to compromise and settle on behalf of the County all claims against the County in eminent domain proceedings for the parcels and for substantially the terms and the amounts specified in the attached land acquisition summary sheet.

The foregoing resolution was offered by Commissioner Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Carlos A. Gimenez and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	absent	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of July, 2007. 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: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve

Agenda Item No. 13(A)(1)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: July 24, 2007

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

SUBJECT: Resolution authorizing certain settlement in county eminent domain proceedings by County Attorney in connection with the acquisition of land needed for the construction of S.W. 157 Avenue and S.W. 136 Street

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The accompanying resolution was placed on the agenda by the Acting County Attorney.

R. A. Cuevas, Jr.
Acting County Attorney

RAC/jls

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: July 24, 2007

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

SUBJECT: Agenda Item No. 13(A)(1)

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

LAND ACQUISITION SUMMARY SHEET

PROJECT LOCATION:	S.W. 157 Avenue South of S.W. 120 Street for approximately 1/2 mile; and S.W. 136 Street, west of S.W. 157 Avenue for approximately 2000 feet in Miami-Dade County, Florida
PARCEL NUMBERS:	2A and 3A
OWNERSHIP INTEREST:	Parcel No. 2A – Alvin Rose, Jacqueline Rose, and Rhonda Rose Drecksler Parcel No. 3A – Andy Alvarez, Lisa Alvarez, Kurt Harrington and Dena Harrington
PARCEL AREA ACQUIRED:	Parcel No. 2A – 13,437 sq.ft. Parcel No. 3A – 13,437 sq.ft.
COUNTY'S ESTIMATE OF VALUE:	Parcel No. 2A $51,000.00 (Edward N. Parker, M.A.I.) Parcel No. 3A $51,000.00 (Edward N. Parker, M.A.I
OWNER'S ESTIMATE OF VALUE:	Parcel No. 2A $67,000.00 (Boyd Schmidt & Brannum) Parcel No. 3A $67,000.00 (Boyd Schmidt & Brannum)
SETTLEMENT AMOUNT:	The settlement amount for these two parcels equals $74,046.89 for Parcel No. 2A, and $76,255.00 for Parcel No. 3A
REMARKS:	The owners of both parcels were represented by the law firm of Brigham Moore, LLP. The settlement amounts stated above represent full compensation payment for these two parcels, including the sum of $63,000.00 for each parcel taken. This settlement also includes statutory attorney's fees in the total sum $21,780.00 and costs in the total sum of $2,521.89 for both parcels.