

Approved _____ Mayor

Agenda Item No. 13(A)(1)
09-18-07

Veto _____

Override _____

RESOLUTION NO. R-1037-07

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

**RESOLUTION AUTHORIZING CERTAIN SETTLEMENT
IN COUNTY EMINENT DOMAIN PROCEEDINGS BY
COUNTY ATTORNEY IN CONNECTION WITH THE
ACQUISITION OF LAND NEEDED FOR THE NORTH/
SOUTH ROADWAY CONNECTOR, N.W. 79 AVENUE/
N.W. 79 PLACE BETWEEN N.W. 74 STREET AND
OKEECHOBEE ROAD AS PART OF THE METRORAIL
EXTENSION TO THE PALMETTO EXPRESSWAY
AND MULTI-MODAL FACILITY PROJECT IN
MIAMI-DADE COUNTY, FLORIDA**

WHEREAS, this Board by Resolution No. R-568-98 dated May 19, 1998, previously declared the acquisition of land needed for the North/South Roadway Connector, N.W. 79 Avenue/N.W. 79 Place between N.W. 74 Street and Okeechobee Road as part of the Metrorail Extension to the Palmetto Expressway and Multi-Modal Facility Project, and located 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 figure specified therein; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF 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 amount 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:

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COURT REPORT TO SPEAR
V. S. A. C. P. 1000 1000 1000
A. 1000 1000 1000 1000

	Bruno A. Barreiro, Chairman	aye	
	Barbara J. Jordan, Vice-Chairwoman	aye	
	Jose "Pepe" Diaz	aye	Audrey M. Edmonson
	Carlos A. Gimenez	aye	Sally A. Heyman
	Joe A. Martinez	absent	Dennis C. Moss
	Dorin D. Rolle	aye	Natacha Seijas
	Katy Sorenson	aye	Rebeca Sosa
	Sen. Javier D. Souto	absent	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of September, 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. *[Signature]*

Thomas Goldstein

MEMORANDUM

Agenda Item No. 13(A)(1)

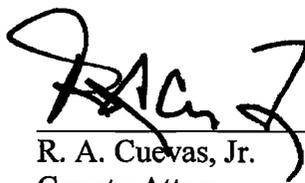
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: September 18, 2007

FROM: R. A. Cuevas, Jr.
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 North/South Roadway
Connector

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



R. A. Cuevas, Jr.
County Attorney

RAC/bw

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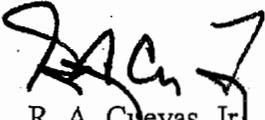


MEMORANDUM

(Revised)

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

DATE: September 18, 2007

FROM: 
R. A. Cuevas, Jr.
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: North/South Roadway Connector, N.W. 79 Avenue/N.W. 79 Place between N.W. 74 Street and Okeechobee Road as part of the Metrorail Extension to the Palmetto Expressway and Multi-Modal Facility Project in Miami-Dade County, Florida.

APPRAISERS: J. Mark Quinlivan, M.A.I.

PARCEL NUMBERS: NS-3, NS-4 and NS-10

OWNERSHIP INTEREST: NS-3 – Gran Central Corporation, a Florida Corporation

NS-4 and NS-10 – Florida East Coast Railway Company, a Florida corporation

ORIGINAL APPRAISALS AND INITIAL OFFER TO OWNER:
Parcel No. NS-3 – \$ 3,900
Parcel No. NS-4 – \$ 7,300
Parcel No. NS-10 – \$108,000

UPDATED APPRAISAL(S):
Parcel No. NS-3 – \$ 5,250
Parcel No. NS-4 – \$ 10,000
Parcel No. NS-10 – \$213,100

OWNERS' APPRAISALS:
(Roderick P. Gillis – Gillis & Company)
Parcel No. NS-3 – \$ 16,700
Parcel No. NS-4 – \$ 30,000
Parcel No. NS-10 – \$428,000

ATTORNEY'S FEES AND COSTS: See full compensation

FULL COMPENSATION AND REMARKS: \$432,000.00 for Parcel Nos. NS-3, NS-4 and NS-10, inclusive of any and all damages, statutory interest, and attorney's fees. The owners entitlement to reasonable expenses and costs shall be determined by the Court at a later date. Under no circumstances shall County be responsible for the payment of expenses and costs incurred prior to the settlement in excess of \$109,000.00