

Approved \_\_\_\_\_ Mayor

Agenda Item No. 13(A)(3)

Veto \_\_\_\_\_

9-18-07

Override \_\_\_\_\_

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

RESOLUTION NO. R-1039-07

RESOLUTION AUTHORIZING CERTAIN SETTLEMENT IN COUNTY EMINENT DOMAIN PROCEEDINGS BY COUNTY ATTORNEY IN CONNECTION WITH THE ACQUISITION OF LAND FOR THE RIGHT-OF-WAY NEEDED FOR IMPROVEMENTS TO THE NW 72<sup>ND</sup> AVENUE FROM NW 74<sup>TH</sup> STREET TO OKEECHOBEE ROAD, STATE ROAD NO. 25 IN MIAMI COUNTY, FLORIDA

**WHEREAS**, this Board by Resolution No. R-1004-04 dated July 27, 2004 previously declared the acquisition of land for the right-of-way needed for improvements to the NW 72<sup>nd</sup> Avenue from NW 74<sup>th</sup> Street to Okeechobee Road, State Road No. 25 in Miami-Dade County, Florida, to be a public necessity and authorized the acquisition of land therefor by eminent domain proceedings; and

**WHEREAS**, the owner of the parcel of land set forth in the attached land acquisition summary sheet has 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 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 parcel 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:

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	absent
Joe A. Martinez	absent	Dennis C. Moss	absent
Dorrian D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of September, 2006. 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.

Thomas Goldstein

**MEMORANDUM**

Agenda Item No. 13(A)(3)

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

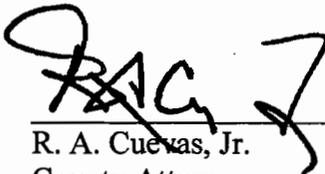
**DATE:** September 18, 2007

**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 improvements to NW 72  
Avenue from NW 74 Street to  
Okeechobee Road, S.R. 25

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

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/bw

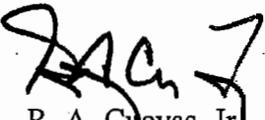


# MEMORANDUM

(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) (3)

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:** Widening and improvement of N.W. 72<sup>nd</sup> Avenue from NW 74<sup>th</sup> Street to Okeechobee Road, State Road No. 25 in Miami-Dade County, Florida

**APPRAISER:** J. Mark Quinlivan

**PARCEL NUMBER:** 11, 11a and 12

**OWNERSHIP INTEREST:** 7200 Corp., a Florida Corporation

**INITIAL OFFER:** \$318,000.00 for land acquired and costs to cure (excluding traffic security gate.)

**OWNER'S APPRAISAL:** \$795,952.00 (excluding traffic security gate)

**COUNTY'S UPDATED APPRAISAL:** \$351,913.00

**ATTORNEY'S FEE AND COSTS:** See Full Compensation

**FULL COMPENSATION AND REMARKS:** \$532,280.91 inclusive of any and all damages, cost to cure, traffic security gate, attorney's fee and costs. This figure is made up of \$388,396.00 for land acquired and cost to cure; an amount not to exceed \$85,000.00 for a traffic security gate; \$47,114.28 attorney's fee; and \$11,770.53 expert fees and costs.