

Memorandum

MIAMI-DADE
COUNTY

Date: (Public Hearing 6-3-08)
May 6, 2008

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

From: George W. Burgess
County Manager

Subject: Amerifirst Park First Addition Multipurpose Maintenance
Special Taxing District

Agenda Item No. 5(A)

Ordinance No. 08-64

Recommendation

It is recommended that the Board of County Commissioners (BCC) approve a petition submitted in accordance with Article 1, Chapter 18 of the Code, for creation of the Amerifirst Park First Addition Multipurpose Maintenance Special Taxing District. The creation of this District is pursuant to Public Works Department policy.

Scope

This proposed special taxing district lies within Commission District Eleven (11) and will provide multipurpose maintenance services.

Fiscal Impact/Funding Source

Creation of this District will result in no economic impact on the County's budget. Maintenance services which cannot be equitably or conveniently provided by the property owners shall be provided by the District upon acceptance of the plat required improvements by Miami-Dade County. Such services will be funded by special assessments against benefited property.

The economic impact on the private sector will be a perpetual annual special assessment for the cost of maintenance services to all property owners within the District.

At this time there will be no increase or decrease in County staffing due to this District. Increases in staffing levels, to provide the service requirements created by additional landscape maintenance special taxing districts, may be necessary in the future.

The private sector may increase its staffing levels to provide the service requirements created by this special taxing district.

Track Record/Monitoring

The Miami-Dade County Park and Recreation and Public Works Departments will provide the District's required maintenance services and cause implementation of special assessments for

the costs of such services against benefited property, as well as contract monitoring, compliance and enforcement.

Background

Boundaries: On the North, Hammocks Boulevard South;
On the East, theo. SW 149th Court;
On the South, SW 120th Street;
On the West, theo. SW 152nd Avenue.

Number of Parcels: 1 (Tentative plat propose 9 buildable commercial lots).

Number of Owners: 1

Number of Owners With Homestead Exemption Signing Petition: None - The petition was submitted by Lucky Start at the Hammocks, LLC., the sole property owner and developer.

Preliminary Public Meeting: None necessary.

Required Referendum: The creation of this District will be subject only to BCC approval; no election will be necessary as 100 percent of the owners signed the petition.

Preliminary Assessment Roll: Submitted on the same agenda as a separate agenda item for consideration and adoption by the BCC and contingent upon the Board's approval of this District's creation ordinance. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.

Proposed Service and Improvements

Multipurpose Maintenance Services: The creation of this District is requested to maintain swale and median areas including turf, trees, and shrubs along SW 151st Court, SW 120th Street, SW 112th Street and Hammocks Boulevard South.

Estimated Initial Billing: November 1st following cessation of maintenance services by the developer.

Initial Start of Service

October 1st following cessation of maintenance services by the developer.

Method of Apportionment

Maintenance Services:	Square Footage	
<u>Estimated Annual Total Cost</u>	<u>First Year</u>	<u>Second Year</u>
Maintenance Services:	\$87,620	\$76,130
<u>Estimated Annual Rate</u>	<u>First Year</u>	<u>Second Year</u>
Maintenance Services:	\$0.0410	\$0.0356
<u>Estimated Annual Assessments</u>	<u>First Year</u>	<u>Second Year</u>
For A Typical Commercial Lot:	\$10,036	\$8,714

The annual assessments shown above are representative of costs for typical commercial lots within this District.

State or Federal grants are not applicable to this special taxing district.

Each special taxing district is unique due to its geographical boundaries, affected property owners, and level of services to be provided. Creation of a new special taxing district to provide these services is the best and most cost-effective method to achieve this benefit.

In compliance with the provisions of Section 18-3 (c) of the Code, I have reviewed the facts submitted by the Public Works Director and concur with her recommendation that this District be created pursuant to Section 18-22.1 of the Code.


Assistant County Manager



MEMORANDUM

(Revised)

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

DATE: June 3, 2008


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

SUBJECT: Agenda Item No. 5(A)

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

Approved _____ Mayor

Agenda Item No. 5(A)
6-3-08

Veto _____

Override _____

ORDINANCE NO. 08-64

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS AMERIFIRST PARK FIRST ADDITION MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Miami-Dade County Home Rule Amendment to the Florida Constitution (Article VIII, Section 6) grants to the electors of Miami-Dade County power to adopt a home rule charter of government for Miami-Dade County, Florida, and provides that such charter may provide a method for establishing special taxing districts and other governmental units in Miami-Dade County from time to time; and

WHEREAS, the Home Rule Charter adopted by the electors of Miami-Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and the governing body of Miami-Dade County, shall have the power to establish special purpose districts within which may be provided essential facilities and services, including landscape improvement and maintenance programs, and that all funds for such districts shall be provided by service charges, special assessments, or general tax levies within such districts only, and that the County Commission shall be the governing body of all such districts; and

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Miami-Dade County, Florida, providing for the creation and establishment of special taxing districts and prescribing the procedures therefor; and

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WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a petition for the creation of a special taxing district to be known as the AMERIFIRST PARK FIRST ADDITION MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT duly signed by 100% of the owners (developer/petitioner) of property within the proposed district, was filed with the Clerk of the County Commission. Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing maintenance of the swale and median areas located within the public domain to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

WHEREAS, upon receipt of such petition the Clerk of the County Commission transmitted a copy thereof to the County Manager who examined it and filed a written report with the Clerk certifying that such petition was sufficient in form and substance and signed and properly presented in accordance with the requirements of Chapter 18 of the Code of Miami-Dade County, Florida; and

WHEREAS, the County Manager, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth the boundaries of the proposed special taxing district, the location, nature and character of the maintenance programs to be provided within the proposed district, an estimate of the cost of maintaining and operating such improvements and/or services, his certification that the proposed district improvements and/or services conform to the master plan of development for the County, and setting forth his recommendations concerning the need for and desirability of the requested district, the ability of the affected property to bear special assessments to fund the cost of maintaining and operating such improvements and/or services, and an estimate of the amount to be assessed against each square foot of the benefited property within the proposed district, and expressing his opinion that the property to be specially assessed will be benefited in excess of the special assessments to be levied, and the County Manager attached to such report and recommendations a map or sketch showing the boundaries

and location of the proposed district. Such "Report and Recommendations" of the County Manager was filed with the Clerk and transmitted to the Chairperson; and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations that the district petitioned for would be of special benefit to all property within the proposed boundaries and that the total amount of the special assessments to be levied would not be in excess of such special benefit; the Clerk of the Board certified the place, date and hour for a public hearing on the petition of the owner/developer/petitioner and the report and recommendations of the County Manager -- said hearing was held on Tuesday, **June 3, 2008** . Copies of the public notice were duly published in a newspaper of general circulation published in Miami-Dade County, Florida, and copies thereof were posted in not less than five (5) public places within the proposed district, and copies thereof were mailed to all owners of taxable real property within the boundaries of the proposed district as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll; and

WHEREAS, pursuant to said notice, the Board of County Commissioners on Tuesday, **June 3, 2008** , held a public hearing, at which all interested persons were afforded the opportunity to present their objections, if any, to the creation and establishment of the proposed special taxing district; and

WHEREAS, the Board of County Commissioners, upon review and consideration of the report and recommendations of the County Manager and the views expressed by the property owners within the proposed special taxing district, has determined to create and establish such special taxing district in accordance with the report and recommendations of the County Manager, and the provisions of Chapter 18 of the Miami-Dade County Code,

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

Section 1. In accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a special taxing district to be known and designated as the AMERIFIRST

PARK FIRST ADDITION MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT is hereby created and established in the unincorporated area of Miami-Dade County, Florida.

Section 2. The area or boundaries of this proposed special taxing district are as follows:

A portion of Section 9, Township 55 South, Range 39 East, Miami-Dade County, Florida (a.k.a. Amerifirst Park First Addition, Tentative Plat #T-22873) and being more particularly described as follows:

Tract A, "Amerifirst Park" according to the Plat thereof, as recorded in Plat Book 127, at Page 65, of the Public Records of Miami-Dade County, Florida;

Less

That portion of said Tract A lying easterly of a line as measured 1,040.00 feet easterly of, at right angle to, and parallel with the westerly line of said Tract A;

And less

Begin at the Southwest corner of said Tract A; thence N 02° 20' 50" W along the west line of said Tract A and the west line of the SW 1/4 of said Section 9, for 1,047.78 feet; thence departing said west line of said Tract A, run N 87° 26' 46" E for 86.97 feet; thence S 02° 10' 32" E for 1,047.77 feet to a Point of Intersection with the southerly line of said Tract A; thence S 87° 26' 00" W along said southerly line of said Tract A for 83.83 feet to the Point of Beginning.

The area and location of this proposed special taxing district are shown on the map or sketch which is made a part hereof by reference.

Section 3. The service to be provided within this proposed special taxing district will initially consist of the following:

Maintenance of swale and median areas including turf, trees, and shrubs along SW 151st Court, SW 120th Street, SW 112th Street and Hammocks Boulevard South.

Section 4. The estimated cost to the property owners for the maintenance and operation of the district's improvements and/or services including engineering, administration,

billing, collecting and processing for the first year is \$87,620, and \$76,130 for the second year. It is estimated that the cost per assessable square foot of real property within the proposed district is \$0.0410 for the first year, and \$0.0356 for the second year. The second and succeeding years' assessments will be adjusted from actual experience.

Section 5. It is hereby declared that said improvements and/or services will be a special benefit to all property within the proposed special taxing district and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit.

Section 6. Miami-Dade County, as administrator of this district's maintenance program, is directed to provide service by the most effective and efficient means available on a yearly basis, as detailed in the County Manager's report which is made a part hereof by reference. If there is a proposed significant change to the level of services to be provided, the Park and Recreation Department shall conduct a meeting in the community, inviting all affected district property owners for the purpose of reviewing the district's budget and level of services.

Section 7. The County Manager is authorized and directed to cause to be made the maintenance and operation of various public improvements to be installed within the district in accordance with the provisions of this Ordinance.

Section 8. The County Manager is further directed to cause to be prepared and filed with the Clerk of the County Commission a Preliminary Assessment Roll in accordance with the provisions of Section 18-14 of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. In accordance with utilization of the ad valorem tax collection method, if such special assessments are unpaid, when due, the potential for loss of title to the property exists.

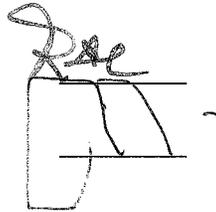
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Section 9. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and recorded in the appropriate book of records.

Section 10. The provisions of this Ordinance shall become effective ten (10) days after the date of its enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: June 3, 2008

Approved by County Attorney as
to form and legal sufficiency:

A handwritten signature in black ink, appearing to be "D. Lee", is written over a horizontal line. Below this line is another horizontal line, and below that is a vertical line forming a rectangular box, likely a placeholder for a nameplate or official title.

Prepared by:

James K. Kracht

**REPORT AND RECOMMENDATIONS
ON THE CREATION OF AMERIFIRST PARK FIRST ADDITION
MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY, FLORIDA**

Pursuant to Chapter 18 of the Code, and as a result of a detailed investigation of a duly petitioned for special taxing district, the following facts are hereby submitted concerning the creation of Amerifirst Park First Addition Multipurpose Maintenance Special Taxing District.

1. BOUNDARIES OF THIS DISTRICT

The proposed District is located entirely within a portion of unincorporated Miami-Dade County, and the boundaries, as set forth in the petition, are as follows:

A portion of Section 9, Township 55 South, Range 39 East, Miami-Dade County, Florida (a.k.a. Amerifirst Park First Addition, Tentative Plat #T-22873) and being more particularly described as follows:

Tract A, "Amerifirst Park" according to the Plat thereof, as recorded in Plat Book 127, at Page 65, of the Public Records of Miami-Dade County, Florida;

Less

That portion of said Tract A lying easterly of a line as measured 1,040.00 feet easterly of, at right angle to, and parallel with the westerly line of said Tract A;

And less

Begin at the Southwest corner of said Tract A; thence N 02° 20' 50" W along the west line of said Tract A and the west line of the SW ¼ of said Section 9, for 1,047.78 feet; thence departing said west line of said Tract A, run N 87° 26' 46" E for 86.97 feet; thence S 02° 10' 32" E for 1,047.77 feet to a Point of Intersection with the southerly line of said Tract A; thence S 87° 26' 00" W along said southerly line of said Tract A for 83.83 feet to the Point of Beginning.

The boundaries are shown on the attached plan entitled Amerifirst Park First Addition Multipurpose Maintenance Special Taxing District and hereinafter referred to as Exhibit A.

2. LOCATION AND DESCRIPTION OF THIS DISTRICT

The creation of this District is requested to provide the services specified below regarding maintenance of swale and median areas including turf, trees, and shrubs along SW 151st Court, SW 120th Street, SW 112th Street and Hammocks Boulevard South. Service will commence at the earliest practicable time following the creation and establishment of the District and will be provided initially by the Miami-Dade

County Park and Recreation Department using the most effective and efficient means available. Maintenance of any lake, natural preservation area, archeological site, and mitigation areas within the district boundaries by the District will commence upon notification from the Department of Environmental Resources Management (DERM) that the developer has complied with any and all requirements imposed by DERM.

3. ESTIMATED COST FOR THIS DISTRICT

The proposed District is to be created initially to provide maintenance as described in Item 2 above. Any increase in future landscape maintenance functions may be recommended by a majority of the property owners for consideration by Miami-Dade County as administrator. The deletion of services is subject to maintaining a minimum level of services as determined by the Miami-Dade County Public Works Department. The expense of the landscape maintenance program will be continuous. However, because cost and/or level of maintenance may increase, the estimated annual expense, as indicated herein, can only be based on the initial maintenance program. The cost of the maintenance program will therefore require adjustment annually through the budget process performed by the Park and Recreation Department or the Public Works Department as administrator of the District.

The County may elect, due to the location and type of maintenance required, to provide landscape maintenance services utilizing an open contract for swale maintenance when significant service cost savings can be realized.

A cost estimate developed by the Public Works Department, based on estimates previously provided by the Park and Recreation Department for similar maintenance taxing districts, indicates the annual cost for the initial maintenance program to be \$60,290 for the first and second years. In addition to that cost, it will be necessary for the County to recover the administrative, processing, billing, and advertising costs incurred in establishing and maintaining the district as provided by Chapter 18 of the Code, as well as provide for contingency and discount costs. This cost is estimated to be \$27,330 the first year and \$15,840 the second year. An annual meeting will be conducted with the owners of real property within the District as an integral part of the annual budget process. This will enable Miami-Dade County, as administrator, to secure suggestions from affected community representatives or associations to improve delivery and lower costs of

the services provided within the scope of the District's authorized functions as specified in Item 2 above, and to determine the following:

1. Level of service;
2. Areas to be maintained;
3. Approximate effect on cost and rate of assessment for any changes.

Miami-Dade County shall determine the minimum service level (property owners may not delete maintenance altogether).

ESTIMATED ANNUAL COSTS

	<u>First Year</u>	<u>Second Year</u>
Initial Annual Maintenance	\$60,290	\$60,290
Administrative, Processing, Billing and Advertising Costs	15,900	12,210
Contingency/Discount	<u>11,430</u>	<u>3,630</u>
Total Estimated Cost to District	\$87,620	\$76,130

The above costs are estimated and will be adjusted annually based on actual experience.

4. CONFORMITY TO THE MASTER PLAN OF MIAMI-DADE COUNTY

The proposed District conforms to and in no way conflicts with the Comprehensive Development Master Plan of Miami-Dade County (see attached memorandum from the Department of Planning and Zoning).

5. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

The proposed maintenance program is desirable, needed and, in my opinion, provides special benefits to property within the district exceeding the amount of special assessments to be levied upon implementation of the District.

6. ESTIMATE OF ASSESSMENT AGAINST BENEFITED PROPERTY

The combined cost of the maintenance program, processing and administrative expenses as shown in Item 3 above is to be paid for by special assessments levied against all benefited properties and is to be apportioned to individual properties within the district on the basis of lot or parcel square footage. The cost per assessable square foot to be assessed for this service is estimated as follows:

	<u>First Year</u>	<u>Second Year</u>
Estimated Total District Cost	\$87,620	\$76,130
Estimated Total Assessable Property Square Footage	2,136,839	2,136,839
Estimated Cost Per Square Foot of Property	\$0.0410	\$0.0356

SAMPLE ASSESSMENTS

Per Year For A Typical Commercial Lot	\$10,036	\$8,714
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The annual assessments shown above are representative of costs for typical commercial lots within this district and will be adjusted from actual experience.

7. RECOMMENDATION

I recommend that Amerifirst Park First Addition Multipurpose Maintenance Special Taxing District be created pursuant to Section 18-22.1 of the Code, as 100% of the property owners have signed the petition and no referendum is required. I also recommend that the County Attorney cause to be prepared an ordinance authorizing the creation of the Amerifirst Park First Addition Multipurpose Maintenance Special Taxing District. Pursuant to Section 18-22.1 of the Code, the BCC shall receive and hear, at a public hearing, remarks by interested persons on this district, and thereafter may adopt such ordinance. Following adoption of the creation ordinance, it is further recommended that the Board adopt the district's Preliminary Assessment Roll Resolution. Adoption of this resolution will enable the Miami-Dade County Tax Collector to provide the funding necessary to reimburse affected County Agencies involved in the creation and establishment of this district, as well as operate and maintain this district. In the event actual costs are lower than the costs estimated, the Director of the Public Works Department or her designee shall adjust and decrease the square foot rate of assessment. In the event actual costs are higher than those estimated in the ordinance, the County Manager may, at his discretion, cause to be prepared a revised preliminary assessment roll and file the same with the Clerk of the Board for a scheduled public hearing to adopt the revised assessment roll. The ordinance creating the district shall take effect ten (10) days after the date of its adoption unless vetoed

by the Mayor, and if vetoed, it shall become effective only upon an override by the Board. My office will also be available to answer any questions from the public or your office in regards to the financial and/or engineering facts of this project. We further recommend that the County Manager forward this report to the Board of County Commissioners after he has reviewed it and concurred with our findings.

- Enclosures:
- (1) Copy of Petition and Attachments
 - (2) Copy of Memo from Department of Planning and Zoning
 - (3) District Boundary Map (Exhibit A)

Memorandum



Date: October 9, 2007

To: Kay M. Sullivan, Director
Office of the Clerk of the Board
Attn: Felicia Hurst

From: 
Donald L. Tock, Jr., Chief
Special Taxing Districts Division

Subject: Amerifirst Park First Addition Multipurpose
Special Taxing District

In reference to the subject petition, we hereby certify that, in compliance with Section 18-22.1 of the Miami-Dade County Code, this Department has verified the attached name against the records of the Property Appraisal Department, and has concluded that said petition relates to real property in a new subdivision and the signator is an owner and/or individual signing in his official capacity as representative of the owner of the property in question. We are therefore submitting the following information:

- | | | |
|----|--|-------------|
| 1. | Total number of parcels of land within district boundaries | <u>1</u> |
| 2. | Total number of owners of property within district boundaries | <u>1</u> |
| 3. | Total number of resident owners within district boundaries
(this is a new subdivision area) | <u>0</u> |
| 4. | Total number of signatures on the petition | <u>1</u> |
| 5. | Total number of owners or representatives signing the petition
in an official capacity | <u>1</u> |
| 6. | Percentage of owners or representatives signing the petition
in their official capacity | <u>100%</u> |

Pursuant to Section 18-22.1 of the Code, this is a valid petition.

By copy of this memorandum, I am forwarding this petition for review by the County Attorney for legal sufficiency.

Attachment

cc: James Kracht

MIAMI-DADE COUNTY ATTORNEY'S OFFICE
MEMORANDUM

TO: Don Tock
Chief, Special Taxing

FROM: James K. Kracht
Assistant County Attorney

DATE: October 17, 2007

RE: Amerifirst Park First Addition Multipurpose
Special Taxing District

Please be advised that I have reviewed the above referenced petition and find it to be legally sufficient.

JKK/cg

MIAMI-DADE COUNTY
PUBLIC WORKS DEPARTMENT
SPECIAL TAXING DISTRICTS DIVISION

Document Preparation
Date 10-02-07 *AP*

Departmental Acceptance Date
(Government Use Only)

PETITION FOR MULTIPURPOSE SPECIAL TAXING DISTRICT

To the Board of County Commissioners of Miami-Dade County, Florida:

We, the undersigned property owners, do hereby petition Miami-Dade County, Florida, for the creation of the Special Taxing District(s) required by the respective plat(s) pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, for any or all of the following: Installation, operation and maintenance of sodium vapor street lights of an intensity of 9,500 up to 50,000 lumens, mounted on concrete, fiber glass or existing poles; landscape, lake, entrance features and wall maintenance services (landscape, lake, entrance features and wall maintenance services shall be more fully described on the attached Exhibit B). The petitioned for district lies within that portion of the unincorporated area of Miami-Dade County more fully described on the attached Exhibit A.

Tentative Plat(s) Name(s) AMERIFIRST PARK FIRST ADDITION

It is understood and agreed that the boundaries of this district and the type and level of services to be provided by this district will be reviewed by the appropriate County authorities. It is also understood that the street lights and other improvements to be provided shall be in accordance with minimum standards and requirements set forth by the Miami-Dade County Public Works Department.

OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBER
Lucky Start at the Hammocks LLC.	12515 North Kendall Drive Suite 328, Miami, Fl. 33186	Exhibit A General	30 5909 014 0012
<i>[Signature]</i> Antonio Balestena, the Director of Abal Investments Corp.	12515 North Kendall Drive Suite 328, Miami, Fl. 33186		
<i>[Signature]</i> Jorge L. Fernandez, The President of Ferben Investments Inc.	12515 North Kendall Drive Suite 328, Miami, Fl. 33186		
<i>[Signature]</i> Jorge L. Fernandez, The President of Ven-America Traders Inc.	12515 North Kendall Drive Suite 328, Miami, Fl. 33186		
<i>[Signature]</i> Patricia Lubian Vice-President of Regions Bank, an Alabama Banking Corp.			

PLACE NOTARY STATEMENT, AND STAMP HERE:

Sworn to and subscribed before me this 02 day of October, 2007 following individual notarization on the second page

[Signature]



Eileen Losada
My Commission DD238606
Expires November 18, 2007

Antonio R. Balestena the Director of Abal Investments Corp., Known to me, acknowledge in my presence in Miami-Dade County, Florida on October 2nd 2007 that Antonio Balestena executed the foregoing instrument voluntarily. (is) (are) personally known to me () or produced identification in the form of _____, and acknowledge that _____ executed the same for the purposes herein.

IN WITNESS WHEREOF, I have hereunto set my hand and seal in the County and State last aforesaid, this 2 day of October 2007.

My Commission Expires _____
Eileen Losada
My Commission DD238606
Expires November 18, 2007

Notary Public State of Florida

Jorge Fernandez the President of Ferben Investments Inc., Known to me, acknowledge in my presence in Miami-Dade County, Florida on October 2nd 2007 that Jorge L Fernandez executed the foregoing instrument voluntarily. (is) (are) personally known to me () or produced identification in the form of _____, and acknowledge that _____ executed the same for the purposes herein.

IN WITNESS WHEREOF, I have hereunto set my hand and seal in the County and State last aforesaid, this 2 day of October 2007.

My Commission Expires _____
Eileen Losada
My Commission DD238606
Expires November 18, 2007

Notary Public State of Florida

Jorge Fernandez the President of Ven-America Traders Inc. Known to me, acknowledge in my presence in Miami-Dade County, Florida on October 2nd 2007 that Jorge Fernandez executed the foregoing instrument voluntarily. (is) (are) personally known to me () or produced identification in the form of _____, and acknowledge that _____ executed the same for the purposes herein.

IN WITNESS WHEREOF, I have hereunto set my hand and seal in the County and State last aforesaid, this 2 day of October 2007.

My Commission Expires _____
Eileen Losada
My Commission DD238606
Expires November 18, 2007

Notary Public State of Florida

Patricia Lubian Vice-President of Regions Bank, an Alabama Banking Corporation Known to me, acknowledge in my presence in Miami-Dade County, Florida on October 2nd 2007 that Patricia Lubian executed the foregoing instrument voluntarily. (is) (are) personally known to me () or produced identification in the form of _____, and acknowledge that _____ executed the same for the purposes herein.

IN WITNESS WHEREOF, I have hereunto set my hand and seal in the County and State last aforesaid, this 2 day of October 2007.

My Commission Expires _____
Eileen Losada
My Commission DD238606
Expires November 18, 2007

Notary Public State of Florida

EXHIBIT "A"

EXHIBIT "A" TO THE PETITION FOR THE PLAT (S) KNOWN AS Tentative Plat of Amerifirst Park First Addition. Dated 10/02/07 FOR THE CREATION OF SPECIAL TAXING DISTRICT S).

"LEGAL DESCRIPTION"

TRACT "A" OF "AMERIFIRST PARK" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127, PAGE 65 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LESS THAT PORTION OF TRACT "A" OF "AMERIFIRST PARK," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127 AT PAGE 65 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA LYING EASTERLY OF A LINE AS MEASURED 1040.00 FEET EASTERLY OF, AT RIGHT ANGLES TO AND PARALLEL WITH THE WESTERLY LINE OF SAID TRACT "A."

THIS ALSO BEING PARCEL "A" OF THAT CERTAIN WAIVER OF PLAT AS APPROVED BY THE MIAMI-DADE COUNTY PLAT COMMITTEE UNDER WAIVER OF PLAT NUMBER D-20106.

LESS THEREFROM THE FOLLOWING PARCEL OF LAND:

BEGIN AT THE SOUTHWEST CORNER OF TRACT "A" OF "AMERIFIRST PARK," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127 AT PAGE 65 OF THE PUBLIC RECORDS OF DADE COUNTY (NOW MIAMI-DADE COUNTY), FLORIDA; THENCE N02°20'50"W ALONG THE WEST LINE OF SAID TRACT "A" AND THE WEST LINE OF THE SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 55 SOUTH, RANGE 39 EAST AS SHOWN ON SAID PLAT OF "AMERIFIRST PARK" FOR 1047.78 FEET; THENCE DEPARTING SAID WEST LINE OF TRACT "A," N87°26'46"E FOR 86.97 FEET; THENCE S02°10'32"E FOR 1047.77 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF SAID TRACT "A" OF "AMERIFIRST PARK;" THENCE S87°26'00"W ALONG SAID SOUTHERLY LINE OF TRACT "A" AS SHOWN ON THE PLAT OF "AMERIFIRST PARK" FOR 83.83 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

EXHIBIT "A" TO THE PETITION FOR THE PLAT (S) KNOWN AS Tentative Plat of Amerifirst Park First Addition. Dated 10/02/07 FOR THE CREATION OF MULTIPURPOSE SPECIAL TAXING DISTRICT S).

1. AREAS TO BE MAINTAINED:

- 1.1. Swale and Median SW 151 CT.
- 1.2. Swale and Median SW 120 ST.

2. MAINTENANCE SCHEDULE:

- 2.1. Lawn/Grass.
 - a. Cut bi-monthly.
 - b. Fertilize and weed control bi-annually.
 - c. Treat for pest and/or diseases as required.
- 2.2. Tress.
 - a. Trim, fertilize and treat for pest quarterly.
 - b. Replace as required.
- 2.3. Shrubs.
 - a. Trim, fertilize and treat for pest quarterly.
 - b. Replace as required.
- 2.4. Irrigation and Landscape Lighting.
 - a. Inspect and repair or replace defective components monthly.
- 2.5. Entry features, project identification, signage, Gazebos.
 - a. Inspect and repair or replace defective components.
 - b. Paint every three years.
 - c. Payment of utility bills.



MEMORANDUM

To: Aristides Rivera, P.E., P.L.S., Director
Public Works Department

Date: January 15, 2002

From: *Diane O'Quinn Williams*
Diane O'Quinn Williams, Director
Department of Planning and Zoning

Subject: Street Lighting, Maintenance of
Landscape, Walls Adjacent to
Double-Frontage Lots and Lakes
Special Taxing Districts

Section: As Required
District: As Required
Council: As Required

Effective September 5, 2001, all tentative plats in the unincorporated area of Miami-Dade County submitted to the Land Development Division of the Public Works Department, must be accompanied by a properly executed petition for all applicable special taxing districts including, but not limited to street lights, maintenance of landscape, walls adjacent to double frontage lots, entrance features and lakes. Final Plats will not be presented to the Board of County Commissioners for consideration until the applicable special taxing districts are created, and all fees have been paid. In that regard, to ensure expeditious processing, this Memorandum may serve as approval for certain future special taxing district application requests as being consistent with the intent and purpose of the adopted 2005-2015 Comprehensive Development Master Plan (CDMP). Policy 4A – Capital Improvement Element states: Appropriate funding mechanisms will be adopted and applied by Miami-Dade County in order to assure the fiscal resources to maintain acceptable levels of service. Such funding mechanisms include special tax districts, municipal taxing service units, local option taxes, user fees, local gas tax, general obligation bond, impact fees, and special purpose authorities, or others as appropriate and feasible (Adopted Components as Amended through April 2001, page IX-10). The provision for services over and above minimum for neighborhoods and communities may be accomplished through the special taxing district as may be prescribed by the code.

The Department of Planning and Zoning (DP&Z) has no objection to a blanket approval with condition to establish future special taxing districts as limited to requests for street lighting, landscape maintenance, walls adjacent to double-frontage lots and lake maintenance districts. The previously noted special taxing districts may be established on the condition that the DP&Z review all landscape maintenance districts for compliance with plantings in public rights-of-way and lake maintenance districts for consistency with Landscape Code (Chapter 18A) Section 18A-6(L) Storm Water Retention/Detention Areas.

DO'QW: GA: TBS

SW 112 ST

DISTRICT
BOUNDARIES

AMERIFIRST PARK FIRST ADDITION

MULTIPURPOSE MAINTENANCE
SPECIAL TAXING DISTRICT

AVE

152

SW

THEO.

5

4

4

②

①

CT

149

SW

THEO.

HAMMOCKS BLVD SOUTH

CT

151

SW

1

1

SW

120

ST



DENOTES AREAS TO BE
MAINTAINED

SEE ATTACHED SHEET FOR
SERVICE DESCRIPTIONS AND
LOCATIONS.



N

M-714 (COMM. 0011)
SECTION: 9 - 55 - 39

EXHIBIT "A"

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ATTACHMENT TO EXHIBIT "A"

**AMERIFIRST PARK FIRST ADDITION MULTIPURPOSE MAINTENANCE
SPECIAL TAXING DISTRICT**

AREAS TO BE MAINTAINED:

1. 1. SWALE AND MEDIAN SW 151ST CT.
1. 2. SWALE AND MEDIAN SW 120TH ST.
1. 3. SWALE SW 112TH ST. AND HAMMOCKS BOULEVARD SOUTH.

MAINTENANCE SCHEDULE:

2. 1. LAWN/GRASS
 - a) CUT BIMONTHLY.
 - b) FERTILIZE AND WEED CONTROL BI-ANNUALLY.
 - c) TREAT FOR PESTS/DISEASES AS REQUIRED.
2. 2. TREES/SHRUBS
 - a) TRIM, FERTILIZE AND TREAT FOR PEST QUARTERLY.
 - b) REPLACE AS REQUIRED.
2. 3. IRRIGATION AND LANDSCAPE LIGHTING.
 - a) INSPECT AND REPAIR OR REPLACE DEFECTIVE COMPONENTS MONTHLY.
2. 4. ENTRY FEATURES, PROJECT IDENTIFICATION, SIGNAGE, GAZEBOS.
 - a) INSPECT AND REPAIR OR REPLACE DEFECTIVE COMPONENTS.
 - b) PAINT EVERY THREE YEARS.
 - c) PAYMENT OF UTILITY BILLS.