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

Memorandum

MIAMI-DADE COUNTY

Date: March 3, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 8(F)(1)(A)

Resolution No. R-171-09

From: George M. Burgess
County Manager

Subject: Sale of County-Owned Property
Located at East 25th Street and East 6th Avenue (Hialeah Parcel No.02-46)
Folio: 04-3108-007-2650

RECOMMENDATION

It is recommended that the Board adopt the attached resolution declaring surplus vacant County-owned land under the jurisdiction of Miami-Dade Transit (MDT), authorizing the waiver of Administrative Order 8-4 as it relates to the review by the Planning Advisory Board, and authorizing the sale of same through a sealed bid process.

Scope

COMMISSION DISTRICT:	6
COMMISSION DISTRICT (S) IMPACTED	County-wide

Background

MANAGING DEPARTMENT:	Miami-Dade Transit (MDT)
FOLIO NUMBER:	04-3108-007-2650
LOT SIZE:	7,388 square feet, or 0.1696 Acres ±
LOCATION:	East 25th Street and East 6th Avenue
2008 ASSESSED VALUE:	$103,432.00
APPRAISED MARKET VALUE:	$133,000.00 (January 2007)
ZONING:	RTZ (Rapid Transit) - C-1 Restricted Retail Commercial, Hialeah
CURRENT USE:	Vacant, Unimproved

JUSTIFICATION: The parcel was acquired by MDT as part of the Metrorail right-of-way and has been identified as a good candidate for asset disposal as part of MDT's deficit reduction plan. The subject property is a 7,388 square foot triangular-shaped parcel located immediately adjacent to the Metrorail right-of-way.

Fiscal Impact/Funding Source

MINIMUM SALE AMOUNT: This parcel was acquired by MDT as part of the Hialeah Corridor. This parcel is no longer needed for transit or other County purposes and has been identified for asset disposal as part of MDT's deficit reduction plan. One of the adjacent property owners has expressed an interest in purchasing the property.

If approved for surplus, the property will be sold via sealed bid to the highest bidder for no less than $133,000.00 which is the property's appraised value as of January 15, 2007. Although the appraisal is two years old, staff is of the opinion that the value of the property has not increased since it was appraised.

Track Record/Monitor

MONITOR: Mercedes Sanchez, Real Estate Officer

DELEGATED AUTHORITY: Authorizes the County Mayor or County Mayor's designee to sell the property via sealed bid to the highest bidder, for no less than $133,000.00, which represents its fair market value, as established by an independent state-certified appraiser; take all action necessary to accomplish the sale of the property, and execute a County deed for such purpose.

COMMENTS: It has been determined that this parcel is not suitable for affordable housing due to the fact that its zoning does not support residential development and it is surrounded by commercial development. The property was circulated to County departments as well as the City of Hialeah and the nearby Hialeah Hospital, and no use was identified.

Director
General Services Administration

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: March 3, 2009

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

SUBJECT: Agenda Item No. 8(F)(1)(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 Mayor'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
Veto _____
Override _____

Agenda Item No. 8(F)(1)(A)
3-3-09

RESOLUTION NO. **R-171-09**

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTY LOCATED AT EAST 25TH STREET AND EAST 6TH AVENUE, HIALEAH; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; WAIVING ADMINISTRATIVE ORDER 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 EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, for the property described in the accompanying County Deed, copies of which are incorporated herein and made a part thereof,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board, pursuant to section 125.35(2) Florida Statutes, hereby declares surplus County-owned property located at East 25th Street and East 6th Avenue, Hialeah, authorizes waving Administrative Order 8-4 as it relates to review by the Planning Advisory Board; authorizes the sale of same via competitive bidding; authorizes conveyance to the successful high bidder; authorizes the County Mayor or the County Mayor's designee to take all actions necessary to accomplish the sale of said property, legally described in the aforementioned County Deed; and authorizes the Mayor to execute said County Deed, in substantially the form attached hereto.

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

Dennis C. Moss, Chairman aye
Jose "Pepe" Diaz, Vice-Chairman aye

Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	absent
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2009. 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

Instrument prepared by and returned to:
Miami-Dade County General Services Administration
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

Folio No.: 04-3108-007-2650 (Parcel 02-46)

COUNTY DEED

THIS DEED, made this day of , 2009 A.D. by MIAMI-DADE COUNTY, FLORIDA, a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 N.W. 1 Street Suite 17-202, Miami, Florida 33128-1963 and, party of the second part, whose address is , Florida.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Dollars and no/100 ($) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Dade County, Florida:

SEE ATTACHMENT
LEGAL DESCRIPTION

This conveyance is made subject to the following restrictions:

1. Any and all construction plans for any improvements to be constructed on this parcel must be submitted to the Miami-Dade Transit Office of Safety and Security Fire/Life/Technical Committee for review, comment, possible revision(s) and approval.
2. Any elevated improvements built on this parcel shall be no closer than thirty (30) feet from the outer edge of the Metrorail guideway (the horizontal concrete track bed atop the Metrorail columns).
3. No balconies shall face Metrorail unless completely enclosed with a "protective device" such that nothing can be thrown onto the tracks or at the Metrorail vehicles, e.g. screening or grille work.
4. Structured garages shall have "closed" openings which face Metrorail, i.e. closed with chain link fencing (whether vinyl covered or not), side to side, top to bottom, in order that no projectiles can be thrown onto the Metrorail guideway or at the Metrorail vehicles; this includes possible fencing along the rooftop edge facing the Metrorail guideway including appropriate corners.
5. The rear yard lot line shall be no less than fifteen (15) feet from the mutual Metrorail boundary line.
6. No use of adjacent Metrorail right-of-way shall be permitted for any reason at any time.
7. No item, structure or debris shall encroach onto said adjacent Metrorail right-of-way at any time.

Folio No.: 04-3108-007-2650 (Parcel 02-46)

8. No above- or under-ground storage tanks or containers of flammable materials shall be kept, stored, contained, built or maintained on this parcel at any time.
9. Construction crane locations shall be approved by the Miami-Dade Transit office of Safety and Security prior to any construction or crane(s) being located on this parcel.

The following uses are not permitted on this parcel:

1. gas stations
2. automotive new parts and equipment or accessory stores (salesroom only)
3. automotive tires (sales, service, recapping, installation, storage, discarded, abandoned, new or used, disposal)
4. coin-operated or self-service laundries or dry cleaning
5. copy services or quick printing
6. restaurants, eateries
7. grocery stores and supermarkets
8. manual or mechanical carwashes
9. secondhand merchandise dealers or sale or pawn of secondhand goods

This grant conveys only the interest of the 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 Mayor of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Mayor

Approved for legal sufficiency. _____

The foregoing was authorized by Resolution No. approved by the Board of County Commissioners of Miami-Dade County, Florida, on the day of , 2009.

CONTRACT: H 400
PARCEL: 02-46

LAND DESCRIPTION
METRORAIL HIALEAH CORRIDOR
CITY OF HIALEAH, DADE COUNTY, FLORIDA

A portion of Lots 3, 4, 5, and 6, in Block 17-B, of "SIXTH ADDITION TO THE TOWN OF HIALEAH", according to the Plat thereof as recorded in Plat Book 8, Page 54, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

COMMENCE at the Northwest corner of Lot 1, said Block 17-B, "SIXTH ADDITION TO THE TOWN OF HIALEAH";

THENCE South 03°32'10" East on the East right-of-way line of Sixth Avenue, a distance of 20.01 feet to the intersection with the South right-of-way line of East 25th Street as shown on Miami Dade County Office of Transportation Administration Right-of-Way Map for the Hialeah Corridor, Line Section H-405;

THENCE North 87°45'28" East on said South right-of-way line of East 25th Street, a distance of 100.02 feet to the intersection with the West line of said Lot 3 and the POINT OF BEGINNING;

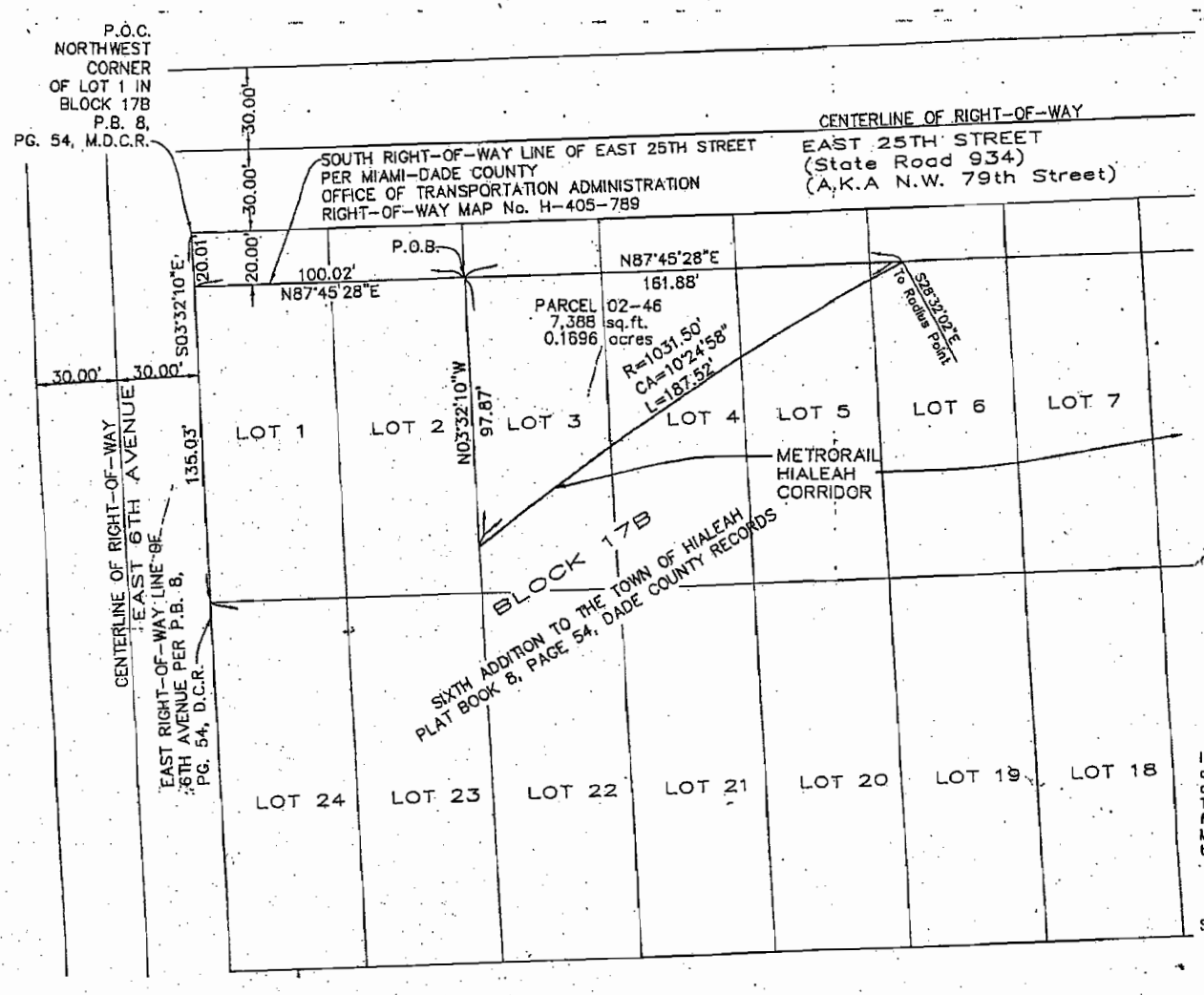
THENCE continue North 87°45'28" East on said South right-of-way line, a distance of 161.88 feet to the intersection with the Northwesterly right-of-way line of the Miami-Dade County Metrorail, Hialeah Corridor, as shown on said Right-of-Way Maps, said point located on the arc of a non-tangent curve concave to the Southeast, whose radius point bears South 28°32'02" East;

THENCE Southwesterly on said Northwesterly right-of-way line and on the arc of said curve having a radius of 1,031.50 feet, through a central angle of 10°24'58", and an arc distance of 187.52 feet to the intersection with said West line of Lot 3;

THENCE North 03°32'10" West on said West line of Lot 3, a distance of 97.87 feet to the POINT OF BEGINNING;

Said lands lying in the City of Hialeah, Miami-Dade County, Florida, and containing 7,388 square feet (0.1696 acres), more or less.

Prepared by:
CALVIN, GIORDANO & ASSOCIATES
1800 Eller Drive, Suite 600
Fort Lauderdale, Florida 33316
September 13, 2006
Revised September 25, 2006
Revised October 11, 2006
P:\Projects\2006\065691 Metro Rail Parcels\SURVEY\Legal Descriptions\065691-v-sd-NORTH-02-46.doc



SURVEYOR'S NOTES:

1. Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
2. Lands shown hereon were not abstracted for Rights-of-Way, Easements, Ownership, or other instruments of record by the Surveyor.
3. Bearings shown hereon are relative to the South right-of-way of East 25th Street as shown on Miami-Dade County Office of Transportation Right-of-Way Maps for Hialeah Corridor Line, Section H-405. Said line bears North 87°45'28" East.
4. Information shown hereon does not represent a Boundary Survey.
5. Description was prepared from information shown on Miami-Dade Transit Right-of-Way Maps, and information contained in the Public Records of Miami-Dade County, Florida

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

I HEREBY CERTIFY: that this "SKETCH OF SURVEY" of the property described hereon is true and correct to the best of my knowledge and belief as recently surveyed and drawn under my supervision. This sketch complies with the Minimum Technical Standards set forth by the Florida State Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code pursuant to 472.027 Florida Statutes.

CALVIN, GIORDANO & ASSOCIATES, INC.

Signed: Gregory J. Cements Dated: 10-11-06

Gregory J. Cements
Professional Surveyor and Mapper No. 4479
State of Florida

Calvin, Giordano & Associates, Inc.
Engineers Surveyors Planners
1800 Eller Drive, Suite 600
Fort Lauderdale, Florida 33316
Phone: 954.921.7781 Fax: 954.921.6607
Certificate of Authorization 614

HIALEAH METRORAIL
MIAMI-DADE TRANSIT
City of Hialeah, Miami-Dade County, Florida

SKETCH OF DESCRIPTION
PARCEL 02-46
Contract H-400

SCALE	PROJECT No	SHEET
1"=40'	06-5691	2
DATE	CAD FILE	OF 2

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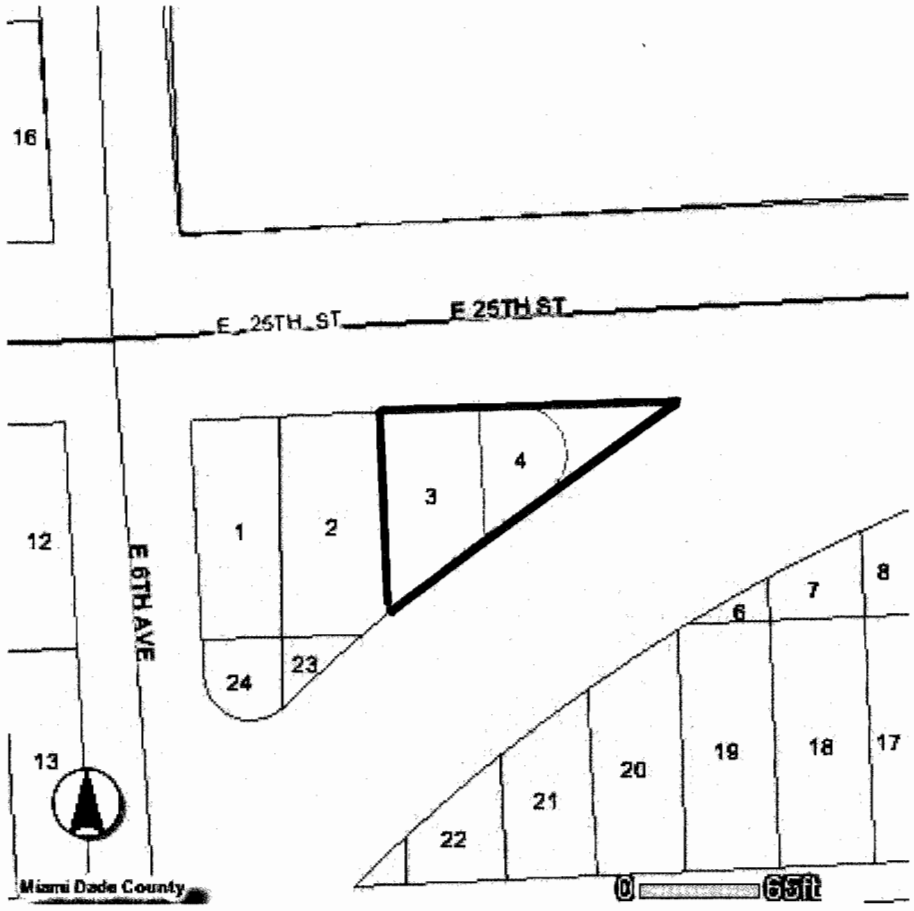
eMaps Online
Miami-Dade County, Florida

miamidade.gov MIAMI-DADE

Folio: 04-3108-007-2650 (See Attached Legal Description) Parcel 02-46



Legend

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