

Date: May 5, 2009

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

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

From: George M. Burgess
County Manager

Resolution No. R-488-09

Subject: Resolution Authorizing Release of Surplus Tax Deed 05A-307 Sale Proceeds

Recommendation

It is recommended that the Board approve the attached resolution authorizing release of Surplus Tax Deed 05A-307 sale proceeds in the amount of \$140,456.70 to Neal Harvey, Chief Financial Officer for Choice Plus, LLC as attorney-in-fact of Ralph Edward Hall, Jr. and \$304.34 to Miami-Dade County Attorney's Office for attorneys fees in Case Nos. M02-41973 and 06-02908 CA 4.

Scope

The attached resolution authorizes release of surplus tax deed sale proceeds in accordance with provisions of the Florida Statutes.

Fiscal Impact/Funding Source

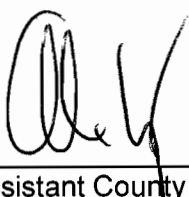
There is no fiscal impact to the County. All property taxes owed were collected at the time of the tax certificates being sold and/or at time of tax deed sale. Surplus funds are paid from net proceeds of the tax deed sale.

Background

Miami-Dade County presently holds \$140,760.04 in excess proceeds from the sale of a tax deed for delinquent taxes on or about November 17, 2005 on a property described as follows:

Folio No. 30-7909-005-0110
Lot 10, Block 5, Dixie Estates
1st Addition, PB 63-30
of the Public Records of
Miami-Dade County

Pursuant to Section 197.582, Florida Statutes, said excess undistributed funds are retained for the benefit of the person who, on the date of the sale, was the titleholder of record and for lien holders. Accordingly, it is recommended that the surplus funds be released to Neal Harvey, as attorney-in-fact of Ralph Edward Hall, Jr., pursuant to the attached resolution.


Assistant County Manager

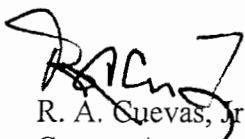


MEMORANDUM

(Revised)

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

DATE: May 5, 2009

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

SUBJECT: Agenda Item No. 8(E)(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(E)(1)(A)
5-5-09

RESOLUTION NO. R-488-09

RESOLUTION AUTHORIZING RELEASE OF SURPLUS TAX DEED 05A-307 SALE PROCEEDS IN THE AMOUNT OF \$304.34 TO MIAMI-DADE COUNTY ATTORNEY'S OFFICE IN THE AMOUNT OF \$140,456.70 TO NEAL HARVEY, CHIEF FINANCIAL OFFICER FOR CHOICE PLUS, LLC, AS ATTORNEY-IN-FACT OF RALPH EDWARD HALL JR.

WHEREAS, the Clerk of the Circuit Court issued a tax deed for delinquent taxes upon the following described real property on or about November 17, 2005; and

Folio No. 30-7909-005-0110

LOT 10, BLOCK 5, DIXIE ESTATES
1ST ADDITION, PB 63-30
OF THE PUBLIC RECORDS OF
MIAMI-DADE COUNTY, FLORIDA

WHEREAS, as a result of the said tax deed sale, there exists a net excess of funds in the amount of \$140,760.04 currently held by the Miami-Dade County Board of County Commissioners; and

WHEREAS, pursuant to Section 197.582, Florida Statutes, the said excess undistributed funds are retained for the benefit of the person who, on the date of the sale, was the titleholder of record and for lienholders; and

WHEREAS, on the date of the above-referenced sale, RALPH EDWARD HALL, JR., was a titleholder and MIAMI-DADE COUNTY ATTORNEY'S OFFICE is a lienholder and are entitled to the excess proceeds resulting therefrom,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Finance Director is hereby authorized and directed to deliver to the Clerk of the Circuit Court the said surplus tax

Resolution No. R-488-09

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

Page No. 2

deed sale proceeds in the amount of \$140,760.04, and the Clerk of the Circuit Court is authorized and directed to disburse the \$140,860.04 as follows: The amount of \$304.34 to MIAMI-DADE COUNTY ATTORNEY’S OFFICE for attorneys fees in Case Nos. M02-41973 and 06-02908 CA 04 and the amount of \$140,456.70 to NEAL HARVEY, as Attorney-in-Fact of Ralph Edward Hall, Jr., to Choice Plus, LLC Escrow Account #10045215, serviced by the Ozona Bank, Wimberley Branch, 101 River Road, Wimberley, TX 78676.

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:

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	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 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: **Diane Collins**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency

Prepared by J. K. Kracht

4