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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Resolution No. R-823-09
Agenda Item No. 8(F)(1)(D)

Date: June 30, 2009

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

From: George M. Burgess, County Manager

Subject: Conveyance of four County-owned parcels to the State of Florida Department of Transportation (FDOT) to be utilized for improvements to State Road I-395

RECOMMENDATION

It is recommended that the Board approve the attached resolution declaring four County-owned parcels, described in Exhibit "A," surplus; authorizing the conveyance of same to the State of Florida Department of Transportation (FDOT), for no monetary consideration; authorizing the waiver of Administrative Order 8-4 as it relates to the review by the Planning Advisory Board; and authorizing the County Mayor to execute a County Deed containing the restriction that the parcels shall solely be utilized for transportation related improvements to State Road I-395.

SCOPE

Commission District: District 3

Commission Districts Impacted: County-wide

BACKGROUND

Managing Department: General Services Administration (GSA)

Folio Numbers:
01-3231-025-0230 (Lot size 1,486 Square Feet) Parcel 106
01-3136-009-1190 (Lot size 1,747 Square Feet) Parcel 109
01-3136-009-0610 (Lot Size 1,658 Square Feet) Parcel 111
01-3136-021-0130 (Lot Size 2,214 Square Feet) Parcel 112

Location: See Exhibit "A"

Zoning:
Parcels 106,109,111 C-2 (Liberal Commercial)
Parcel 112 C-1 (Restricted Commercial)

Assessed Value: $ 86,452

Current Use: Vacant, unimproved

Justification: The State of Florida Department of Transportation (FDOT) conducted a study to determine what improvements needed to be made to SR I-395 between SR I-95 and the MacArthur Causeway Bridge. All of the alternatives studied identified the need to acquire four parcels of County-owned land located adjacent to SR I-395.

These parcels were acquired by the County via tax deed for non-payment of taxes. All four parcels are located immediately adjacent to SR I-395, are irregularly shaped, and are too small to build on. Additionally, staff has determined, by circulation to County departments, that these parcels are not needed for any County purpose. The combined assessed value for all four parcels totals $86,452.00. Attached is a letter from FDOT requesting that these parcels be donated to them for this purpose.

Florida Statutes 125.38 authorizes the Board of County Commissioners to convey property to the State or any political subdivision or agency for a nominal value when the Board is satisfied that the property is needed for public or community interest and welfare and that the property is not needed for County purposes. The County Deed contains a restriction stating that the parcels must be used for transportation related improvements to I-395. Failure to utilize the property for said purpose shall result in the parcels automatically reverting to the County.

FISCAL IMPACT/FUNDING SOURCE

FDOT has requested that Miami-Dade County donate the four parcels to them. In the past the County has received property and easements from FDOT at no cost to the County. Furthermore, the conveyance of these parcels will eliminate the County's obligation to maintain them, which costs the County approximately $12,000.00 per year for all four lots.

TRACK RECORD/MONITOR

Monitor — Mercedes Sanchez, GSA Real Estate Officer

Delegated Authority: — Authorizes the County Mayor to convey four parcels of land to FDOT for no monetary consideration; and authorizes the County Mayor to execute a County Deed.

Wendi J. Norris, Director
General Services Administration

MEMORANDUM

(Revised)

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

DATE: June 30, 2009

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

SUBJECT: Agenda Item No. 8(F)(1)(D)

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)(D)
6-30-09

RESOLUTION NO. R-823-06

RESOLUTION DECLARING FOUR COUNTY-OWNED PARCELS SURPLUS; AUTHORIZING THE CONVEYANCE OF SAME TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), FOR NO MONETARY CONSIDERATION, TO BE UTILIZED FOR IMPROVEMENTS TO STATE ROAD I-395; AUTHORIZING THE WAIVER OF ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO THE REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID PROPERTIES; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, the Board desires to accomplish the purpose outlined in the accompanying memorandum, copies of which are incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board, pursuant to Section 125.38, Florida Statutes, declares surplus the four County-owned parcels legally described in Exhibit "A" to the County Deed attached hereto; waives the requirement of Administrative Order 8-4 for review by the Planning Advisory Board; authorizes the conveyance of the four County- owned parcels to the State of Florida Department of Transportation (FDOT) pursuant to Section 125.38 for no monetary consideration, subject to the restriction that said parcels be used by FDOT for transportation related improvements to I-395(SR-836); and authorizes the Mayor to execute the 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	absent	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	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 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.

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. 01-3231-025-0230
01-3136-009-1190
01-3136-009-0610
01-3136-021-0130

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 NW 1 Street Suite 17-202, Miami, Florida 33128-1963, and State of Florida Department of Transportation, party of the second part, whose address is 1000 N.W. 111 Avenue, Miami, Florida.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars and 00/100 ($10.00) has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

LEGAL DESCRIPTION
SEE EXHIBIT "A"

Subject to the following restriction:

That the Property shall be utilized for transportation related improvements to I-395 (SR 836). Failure to utilize the property for said purpose shall result in the property automatically reverting to the party of the first part.

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.

EXHIBIT "A"

1. Folio No. 01-3231-025-0230 (Parcel 106)

   BEG AT NE COR LOT 42 W50.05FT S22.37FT SELY52.15FT N37.05FT TO POB, MARY BRICKELLS SUB, according to the Plat thereof recorded in Plat Book B at Page 9 of the Public Records of Miami-Dade County, Florida.

2. Folio No. 01-3136-009-1190 (Parcel 109)

   BEG AT NE COR LOT 1 W87.91FT S 67 DEG 56 MIN 40 SEC E92.36FT N39.74FT TO POB BLOCK 11, ALICE BALDWIN ET AL SUB, according to the Plat thereof recorded in Plat Book PB 6-43 & PB B-87 of the Public Records of Miami-Dade County, Florida.

3. Folio No. 01-3136-009-0610 (Parcel 111)

   BEG ON NE COR LOT 3 SWLY 78.35FT SELY 89.01FT NWLY 42.25FT TO POB BLOCK 6, ALICE BALDWIN ET AL SUB, according to the Plat thereof recorded in Plat Book PB 6-43 & PB B-87 of the Public Records of Miami-Dade County, Florida.

4. Folio No. 01-3136-021-0130 (Parcel 112)

   LOT 14 LESS BEG AT SE COR LOT 14 W50.04FT N72.65FT S 64 DEG 02 MIN 26 SEC E56.41FT S45.90FT TO POB LYG IN R/W BLOCK 1, ERICKSONS SUB, according to the Plat thereof recorded in Plat Book B at Page 88 of the Public Records of Miami-Dade County, Florida.

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

Right of Way Administration
1000 N.W. 111th Avenue, Room 6105-B
Miami, Florida 33172
Ph: 305-470-5150 / Fax: 305-499-2340

STEPHANIE C. KOPELOUSOS
SECRETARY

November 13, 2007

Ms. Laureen Varga
Miami-Dade County
General Services Administration
111 N.W. First Street, Suite 2420
Miami, Florida 33128-1909

Subject: **Proposed I-395 Improvements**
Item/Segment No.: **251688-1**
Project Description: **SR 836/I-395 From East of I-95 To MacArthur Causeway Bridge**
Parcel Numbers: **106, 109, 111, 112**

Dear Laurie:

The State of Florida Department of Transportation (FDOT) is currently completing our PD&E Study to make improvements to I-395 (SR 836) from I-95 to the Macarthur Causeway Bridge. All of the alternatives studied will necessitate that FDOT acquire from Miami-Dade County GSA the above subject four parcels. This letter is to request a donation of these four parcels from GSA to FDOT, and that you begin your process to allow FDOT to acquire these four parcels by April, 2008 thru the Board of County Commissioners during one of the April Agenda Meetings.

For each of the above four parcels, I am attaching the following:

1. Miami-Dade County Property Web Site, showing ownership (GSA R/E Management) and Tax Folio Numbers, Property Street address, and other information.
2. County Deed for each parcel, prepared by FDOT
3. BOCC Proposed Resolution granting each parcel to FDOT
4. Legal Description of each parcel.
5. Parcel Sketch showing location and size of each parcel
6. Project Map showing all parcels necessary for acquisition by FDOT (including these four GSA parcels).

After your review, we would certainly be glad to come to the GSA offices and present our Construction Project to you and your Staff, and to answer any questions that you might have of FDOT or of our Design Consultant, Metric Engineering.

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Please give me a call (305) 499-2324 upon your review, or e-mail me at richard.lineberger@dot.state.fl.us and I will provide you with any additional information that you might require to finalize the above.

Sincerely,

Richard E. Lineberger
Right of Way Project Manager

/jb
Enclosures
cc: Alice Bravo, Director of Transp. Development Systems
Vilma Croft, P.E., Environmental Management
Alejandro Casals, District R/W Manager
Bruce Bradley, Assistant District R/W Manager
Javier Bustamante, Property Management Supervisor

My Home
Miami-Dade County, Florida

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Property Information Map

Digital Orthophotography - 2007 0 105 ft

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Close

Summary Details:

Folio No.:	01-3136-021-0130
Property:	
Mailing Address:	MIAMI-DADE COUNTY GSA R/E MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-1929

Property Information:

Primary Zone:	6100 RESTRICTED COMMERCIAL
CLUC:	0080 VACANT LAND-GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	2,214 SQ FT
Year Built:	0
Legal Description:	ERICKSONS SUB PB B-88 LOT 14 LESS BEG AT SE COR LOT 14 W50.04FT N72.65FT S 64 DEG 02 MIN 26 SEC E56.41FT S45.90FT TO POB LYG IN R/W BLK 1 LOT SIZE 2214 SQ FT

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	$0

Assessment Information:

Year:	2008	2007
Land Value:	$13,284	$13,284
Building Value:	$0	$0
Market Value:	$13,284	$13,284
Assessed Value:	$13,284	$13,284

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$13,284/$0	$13,284/$0
County:	$13,284/$0	$13,284/$0
City:	$13,284/$0	$13,284/$0
School Board:	$13,284/$0	$13,284/$0

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My Home
Miami-Dade County, Florida

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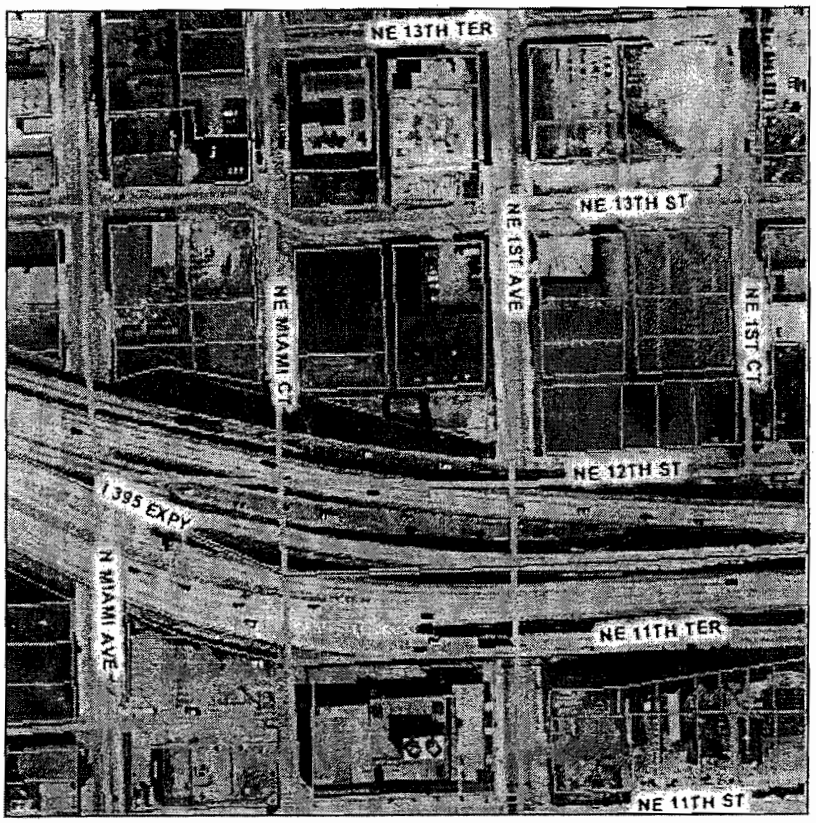
MIAMI-DADE

Property Information Map



Digital Orthophotography - 2007

0 ——— 105 ft

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Summary Details:

Folio No.:	01-3231-025-0230
Property:	63 NE 12 ST
Mailing Address:	MIAMI-DADE COUNTY GSA R/E MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-1929

Property Information:

Primary Zone:	6600 LIBERAL COMMERCIAL
CLUC:	0047 DADE COUNTY
Beds/Baths:	2/2
Floors:	1
Living Units:	2
Adj Sq Footage:	480
Lot Size:	1,486 SQ FT
Year Built:	1980
Legal Description:	MARY BRICKELLS SUB PB B-9 BEG AT NE COR LOT 42 W50.05FT S22.37FT SELY52.15FT N37.05FT TO POB LOT SIZE 1486 SQ FT OR 20332-3763 0302 3

Sale Information:

Sale O/R:	
Sale Date:	3/1996
Sale Amount:	$0

Assessment Information:

Year:	2008	2007
Land Value:	$19,318	$19,318
Building Value:	$1,000	$1,000
Market Value:	$20,318	$20,318
Assessed Value:	$20,318	$20,318

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$20,318/$0	$20,318/$0
County:	$20,318/$0	$20,318/$0
City:	$20,318/$0	$20,318/$0
School Board:	$20,318/$0	$20,318/$0

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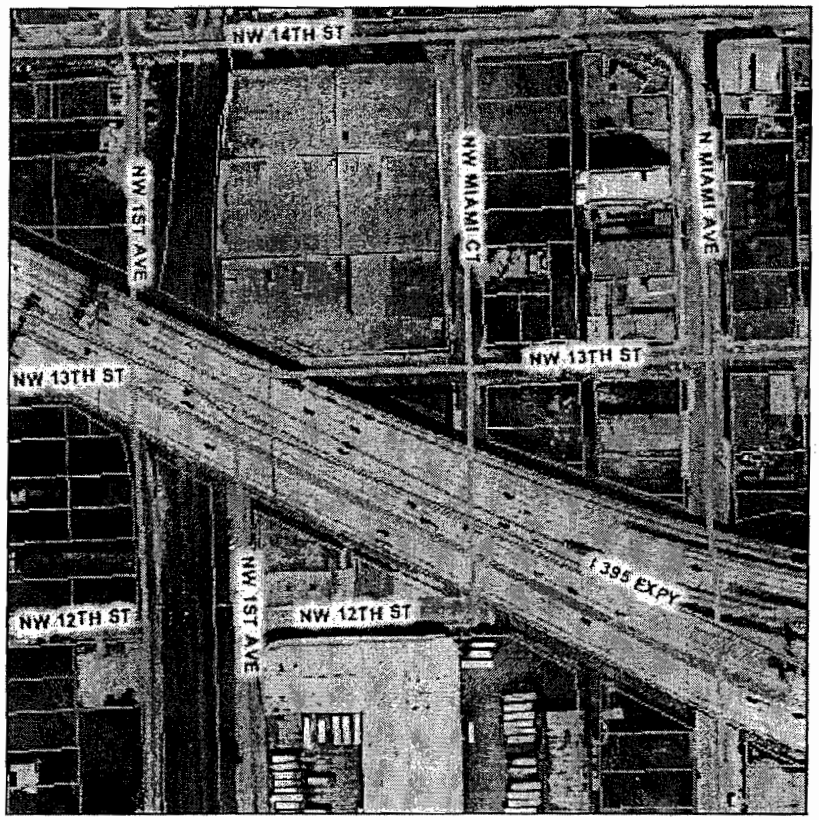
My Home
Miami-Dade County, Florida

miamidade.gov MIAMI-DADE

Property Information Map



Digital Orthophotography - 2007 0 112 ft

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Close

Summary Details:

Folio No.:	01-3136-009-1190
Property:	70 NW 13 ST
Mailing Address:	MIAMI-DADE COUNTY GSA R/E MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-1929

Property Information:

Primary Zone:	6600 LIBERAL COMMERCIAL
CLUC:	0080 VACANT LAND-GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	1,747 SQ FT
Year Built:	0
Legal Description:	PB B-87 & ALICE BALDWIN ET AL SUB PB 6-43 BEG AT NE COR LOT 1 W87.91FT S 67 DEG 56 MIN 40 SEC E92.36FT N39.74FT TO POB BLK 11 LOT SIZE 1747 SQ FT

Sale Information:

Sale O/R:	
Sale Date:	3/1996
Sale Amount:	$0

Assessment Information:

Year:	2008	2007
Land Value:	$12,229	$12,229
Building Value:	$0	$0
Market Value:	$12,229	$12,229
Assessed Value:	$12,229	$12,229

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$12,229/$0	$12,229/$0
County:	$12,229/$0	$12,229/$0
City:	$12,229/$0	$12,229/$0
School Board:	$12,229/$0	$12,229/$0

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My Home
Miami-Dade County, Florida

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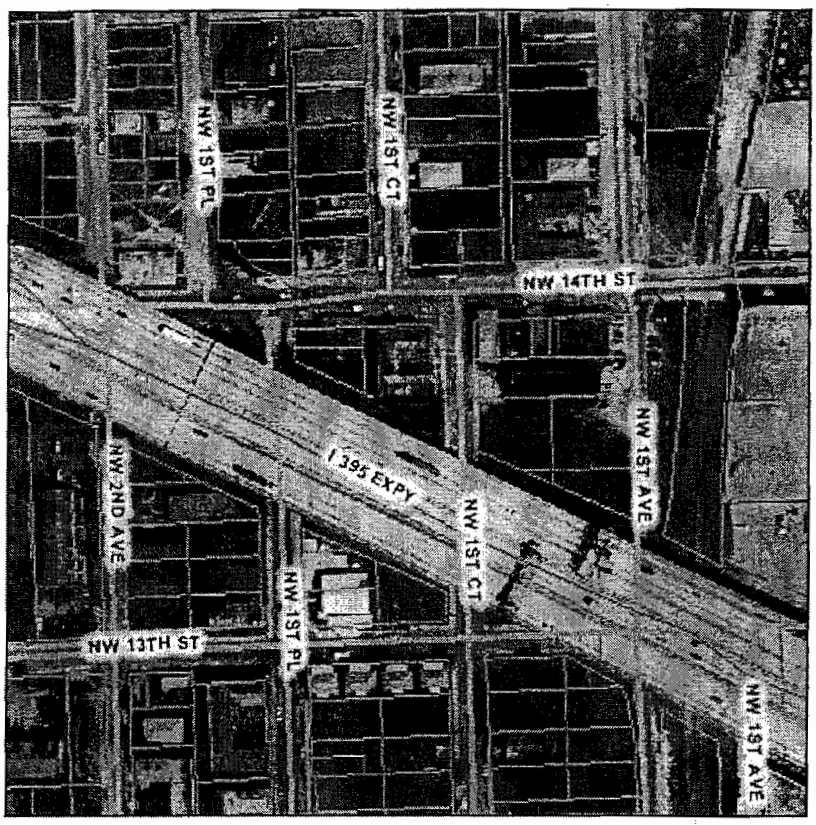
Property Information Map



Digital Orthophotography - 2007 0 108 ft

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Summary Details:

Folio No.:	01-3136-009-0810
Property:	1348 NW 1 CT
Mailing Address:	MIAMI DADE COUNTY GSA R/E MGMT 111 NW 1 STREET STE 2460 MIAMI FL 33128-1929

Property Information:

Primary Zone:	6600 LIBERAL COMMERCIAL
CLUC:	0080 VACANT LAND-GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	1,658 SQ FT
Year Built:	0
Legal Description:	ALICE BALDWIN ET AL SUB PB B-87 & PB 6-43 BEG ON NE COR LOT 3 SWLY78.35FT SELY89.01FT NWLY42.25FT TO POB BLK 6 LOT SIZE 16.580 X 100

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	$0

Assessment Information:

Year:	2008	2007
Land Value:	$40,621	$40,621
Building Value:	$0	$0
Market Value:	$40,621	$40,621
Assessed Value:	$40,621	$40,621

Taxable Value Information:

Year:	2008	2007
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$40,621/$0	$40,621/$0
County:	$40,621/$0	$40,621/$0
City:	$40,621/$0	$40,621/$0
School Board:	$40,621/$0	$40,621/$0