



MEMORANDUM

Agenda Item No. 11(A) (15)

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


DATE: July 21, 2009

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

SUBJECT: Resolution directing that any
resolution authorizing the execution
of instruments creating a County
interest in real property shall
require such instruments to be
recorded in the public records of
Miami-Dade County

Resolution No. R-974-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

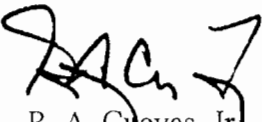


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(Revised)

TO: Honorable Chairman Dennis C. Moss
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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. 11(A)(15)
7-21-09

RESOLUTION NO. R-974-09

RESOLUTION DIRECTING THAT ANY RESOLUTION AUTHORIZING THE EXECUTION OF INSTRUMENTS CREATING A COUNTY INTEREST IN REAL PROPERTY SHALL REQUIRE SUCH INSTRUMENTS TO BE RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY AND ATTACHED BY THE CLERK OF THE BOARD TO THE AUTHORIZING RESOLUTION

WHEREAS, this Board wishes to ensure that property interests and liens possessed by the County are properly recorded and preserved for future reference,

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

Section 1. This Board directs that any resolution authorizing the acceptance or execution of a deed, easement, covenant, reverter, or mortgage creating or reserving a real property interest in favor of the County contain language requiring such instrument, after proper execution, to be recorded in the public records of the county within which the real property is located.

Section 2. This Board further directs that any such resolution also: (a) direct the County Mayor or his designee to provide a recorded copy of any instrument prepared in accordance herewith to the Clerk of the Board within thirty days of execution and final acceptance; and, (b) direct the Clerk of the Board to attach and permanently store a recorded copy of any instrument provided in accordance herewith together with the authorizing resolution.

Section 3. This resolution is intended to provide for proper recordation and preservation of instruments evidencing the County's real property interests, and the failure to

comply with any of its terms shall not affect the validity of any resolution or instrument creating or reserving such real property interest.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Katy Sorenson** 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	aye
Sen. Javier D. Souto	aye		

The Chairman thereupon declared the resolution duly passed and adopted this 21st day of July, 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.

Jorge Martinez-Esteve