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

MEMORANDUM Agenda Item No. 8(O)(2)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: January 24, 2012

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

SUBJECT: Resolution accepting the City of Florida City donation of land aka Parcel 110 to be used for the Busway, SW 344th Street Park and Facility Project

Resolution No. R-46-12

The accompanying resolution was prepared by the Miami-Dade Transit Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/up

Memorandum

MIAMI-DADE COUNTY

Date: January 24, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Accepting the City of Florida City Donation of Land a.k.a. Parcel 110, to be Used for the Busway, SW 344th Street Park and Ride Facility Project located at the Southern Terminus of the Busway Extension to Florida City, Adjacent to the North Side of West Palm Drive (SW 344th Street) Between NW 2nd Avenue and NW 3rd Avenue in Florida City Folio No. 16-7824-007-1150

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution accepting Florida City's donation of land, a.k.a. Parcel 110, to be used for the Busway, SW 344th Street Park and Ride Facility Project, located at the Southern Terminus of the Busway Extension to Florida, adjacent to the north side of West Palm Drive (SW 344th Street) between NW 2nd Avenue and NW 3rd Avenue, in Florida City.

SCOPE

The project is located in Commission District 9. However, the impact benefits the public, and is therefore, Countywide.

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact for the donation of this parcel. However, the assessment is estimated at $8,230, which will be added to Miami-Dade Transit (MDT) land acquisition assets.

TRACK RECORD/MONITOR

Miami-Dade County has received property donations from agencies in the past. The person responsible for managing the execution of this donation is Froilan Baez, Acting Chief, MDT Right of Way, Utilities and Property Management Division.

DELEGATED AUTHORITY

In accordance with Section 2-8.3 of the Code of Miami-Dade County, related to identifying delegation of Board Authority, there are no authorities other than that specified in the resolution which include authority for the Mayor, Mayor's designee, or MDT Director to approve the conveyance of Florida City donation of land to the County.

BACKGROUND

On June 15, 2010, the Board approved Resolution R-685-10 authorizing the execution of a Supplemental Joint Agreement (SJPA) with the Florida Department of Transportation (FDOT) to provide additional funding and a series of Resolutions R-670-10 to R-682-10 authorizing the acquisition of all the parcels for the project.

MDT has programmed the construction of a new Park and Ride Facility, located at the southern terminus of the Busway Extension to Florida City adjacent to the north side of West Palm Drive (SW 344th Street) between NW 2nd Avenue and NW 3rd Avenue in Florida City. The proposed Park and Ride Facility project includes a Kiss and Ride drop off area, passenger wait area, bus bays, a

roundabout for busses using the Busway, a rest/break facility for bus drivers including restrooms, and other ancillary improvements standard for a Park and Ride Facility. The department anticipates the construction of this Park and Ride to begin in May 2012 and completed byJune 2013.

The donation of land by Florida City is necessary for the proposed facility, and is legally described and illustrated in Exhibit "A", attached herein.

Florida City passed and adopted Resolution 11-44 dated September 13, 2011, conveying by Quit-Claim Deed to the County all rights, title, and interest in the entirety of the parcel subject to an effective date. Likewise, this parcel is one of the fourteen (14) parcels mentioned in previous County Resolutions authorizing the acquisition of Parcels 100A though 109 in whole or in parts. Most recently, the sale and purchase of Parcels 104 through 108 were approved at the October 24, 2011 Regional Transportation Committee (RTC) and are scheduled to go before the Board on November 15, 2011.

Deputy Mayor/County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: January 24, 2012

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

SUBJECT: Agenda Item No. 8(O)(2)

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(2)
1-24-12

RESOLUTION NO. R-46-12

RESOLUTION ACCEPTING THE CITY OF FLORIDA CITY DONATION OF LAND A.K.A PARCEL 110 TO BE USED FOR THE BUSWAY, SW 344TH STREET PARK AND RIDE FACILITY PROJECT, LOCATED AT THE SOUTHERN TERMINUS OF THE BUSWAY EXTENSION TO FLORIDA CITY, ADJACENT TO THE NORTH SIDE OF WEST PALM DRIVE (SW 344TH STREET) BETWEEN NW 2ND AVENUE AND NW 3RD AVENUE IN FLORIDA CITY; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO APPROVE THE ACCEPTANCE OF THE QUIT-CLAIM DEED FOLIO NO. 16-7824-007-1150

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, The City of Florida City intends to convey to the County by Quit-Claim Deed all of the City's rights, title, and interested in its entirety of the Parcel,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the acceptance of a City of Florida City donation of land to Miami-Dade County, in substantially the form attached hereto and made a part hereof; and authorizes the Mayor or Mayor's designee, to approve the acceptance of the Quit-Claim Deed for and on behalf of Miami-Dade County and to exercise all provisions therein; and pursuant to Resolution R-974-09, record the instrument in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy together with this resolution.

The foregoing resolution was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	**aye**		
Audrey M. Edmonson, Vice Chairwoman	**aye**		
Bruno A. Barreiro	**aye**	Lynda Bell	**aye**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of January, 2012. 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: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber

RESOLUTION NO. 11-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA, CONVEYING BY QUIT-CLAIM DEED TO THE COUNTY ALL RIGHT, TITLE, AND INTEREST IN FOLIO NUMBER 16-7824-007-1150 IN THE CITY OF FLORIDA CITY, FLORIDA, AND AUTHORIZING MAYOR TO EXECUTE QUIT-CLAIM DEED; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City owns the north 110.00 feet of Lot 3, Block 19; of Town of Florida City (map of Detroit, Florida) according to the plat thereof, as recorded in Plat Book 2 at Page 74 of the public records of Miami-Dade County, hereinafter referred to as "the Property"; and

WHEREAS, the City seeks to confirm its intent to convey to the County by quit-claim deed all of the City's right, title, and interest in the entirety of the Property.

BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA:

Section 1: That the whereas clauses are hereby incorporated as true and correct as the findings of fact and conclusions of law of the City Commission.

Section 2. That the City Commission hereby authorizes the conveyance of all right, title, and interest in the Property to Miami-Dade County.

Section 3. That the Mayor is hereby authorized to prepare and execute a quit-claim deed effectuating the above stated intent.

PASSED AND ADOPTED by the Mayor and City Commission of the City of Florida, City, Florida this 13th day of September******, 2011.**

OTIS T. WALLACE, Mayor

7

RESOLUTION NO: 11-44

Attest:

JENNIFER EVELYN, City Clerk

Approved as to form and legal sufficiency:

Regine Monestime, City Attorney

Offered by: Mayor

Motion to adopt by: Vice Mayor Berry

Seconded By: Comm. Butler

FINAL VOTE AT ADOPTION:

Mayor Otis T. Wallace: Yes

Vice Mayor Eugene D. Berry: Yes

Commissioner Daurell Dorsett: Yes

Commissioner Sharon Butler: Yes

Commissioner R.S. Shiver: Yes

STATE OF FLORIDA
COUNTY OF MIAMI-DADE
Jennifer A. Evelyn
City Clerk
I, _____ of the City of Florida City, Florida do hereby certify that the above and foregoing is a true and correct copy of the original thereof on file in this office.
WITNESS, my hand and the seal of said City
this 21st day of March A.D. 2011
By: _____

Prepared by and return to:

City of Florida City Attorney's Office
404 West Palm Drive
Florida City, FL 33034

Folio No. 16-7824-007-1150

_____[Space Above This Line For Recording Data]_____

QUIT CLAIM DEED

This Quit Claim Deed made this ____ day of September, 2011 between **City of Florida City**, a Florida municipal corporation, whose post office address is 404 West Palm Drive, Florida City, FL 33034, hereinafter, Grantor, and **Miami-Dade County**, a political subdivision of the State of Florida, whose post office address is 111 N.W. 1st Street, Miami, Florida 33128, hereinafter, Grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Miami-Dade County, Florida to-wit:

Folio Number 16-7824-007-1150

TOWN OF FLORIDA CITY PB 2-74 N110FT OF LOT 3 BLK 19 LOT SIZE 3828 SQ FT OR 19014-1496 0899 3

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

THE CITY OF FLORIDA CITY, FLORIDA

By: _____ (Seal)
OTIS T. WALLACE, Mayor

Witness Name: Richard G. Stanton
[Print Name]

Witness Name: Alicia E. Hoyte
[Print Name]

State of Florida))
County of Miami-Dade))

The foregoing instrument was acknowledged before me this 21st day of September, 2011 by Otis T. Wallace, Mayor, of The Florida City. a Florida Corporation, on behalf of the company, personally known to me or who produced Personally known to me as identification.

Notary Public Jennifer A. Evelyn
City Clerk

Printed Name

My Comm

JENNIFER A. EVELYN
Notary Public - State of Florida
My Comm. Expires Nov 26, 2016
Commission # EE 118216
Bonded Through National Notary Assn.

My Home
Miami-Dade County, Florida

miamidade.gov

MIAMI-DADE

Property Information Map

Aerial Photography - 2009 0 28 ft

This map was created on 8/23/2011 4:01:33 PM for reference purposes only.

Web Site © 2002 Miami-Dade County. All rights reserved.

Summary Details:

Folio No.:	16-7824-007-1150
Property:	
Mailing Address:	CITY OF FLORIDA CITY 404 W PALM DR FLORIDA CITY FL 33034-3346

Property Information:

Primary Zone:	5700 TWO FAMILY RESIDENCE
CLUC:	0080 VACANT LAND GOVERNMENT
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	3,828 SQ FT
Year Built:	0
Legal Description:	TOWN OF FLORIDA CITY PB 2-74 N110FT OF LOT 3 BLK 19 LOT SIZE 3828 SQ FT OR 19014-1496 0899 3

Assessment Information:

Year:	2011	2010
Land Value:	$6,230	$12,824
Building Value:	$0	$0
Market Value:	$6,230	$12,824
Assessed Value:	$8,230	$12,824

Taxable Value Information:

Year:	2011	2010
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$8,230/$0	$12,824/$0
County:	$8,230/$0	$12,824/$0
City:	$8,230/$0	$12,824/$0
School Board:	$8,230/$0	$12,824/$0

Close

EXHIBIT "A"

SEC 24
TWP 57 S
RGE 38 E

LEGAL DESCRIPTION:

Parcel 110

The North 110.00 feet of Lot 3, Block 19, of TOWN OF FLORIDA CITY (MAP OF DETROIT, FLORIDA), according to the plat thereof, as recorded in Plat Book 2, at Page 74, of the Public Records of Miami-Dade County, Florida.

Miami-Dade County Public Works Department
Right of Way Division, Engineering Section
111 NW 1 Street, Suite 1610
Miami, Florida 33128-1970

By:_____
Steven B. Burton, PSM
Professional Land Surveyor & Mapper No. 4962
State of Florida

NOTICE: Unless it bears the signature and the original raised seal of a Florida licensed Surveyor and Mapper, this sketch is for informational purposes only and is not valid.

THIS LEGAL DESCRIPTION IS ILLUSTRATED IN A "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" ON A SEPARATE ATTACHED SHEET. THE ATTACHED SKETCH IS SUBORDINATED TO THIS LEGAL DESCRIPTION AND IS PROVIDED SOLELY AS AN AID TO VISUALIZING THE PROPERTY DESCRIBED HEREIN.

MIAMI-DADE MIAMI-DADE PWD

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION	PARK & RIDE AT SW 344 ST. & BUSWAY	DATE: 9-13-11
		PREPARED BY: S. BURTON
		CHECKED BY: J. TIRADO
	PARCEL NO. 110	PROJECT 20100622 SHEET 1 OF 2

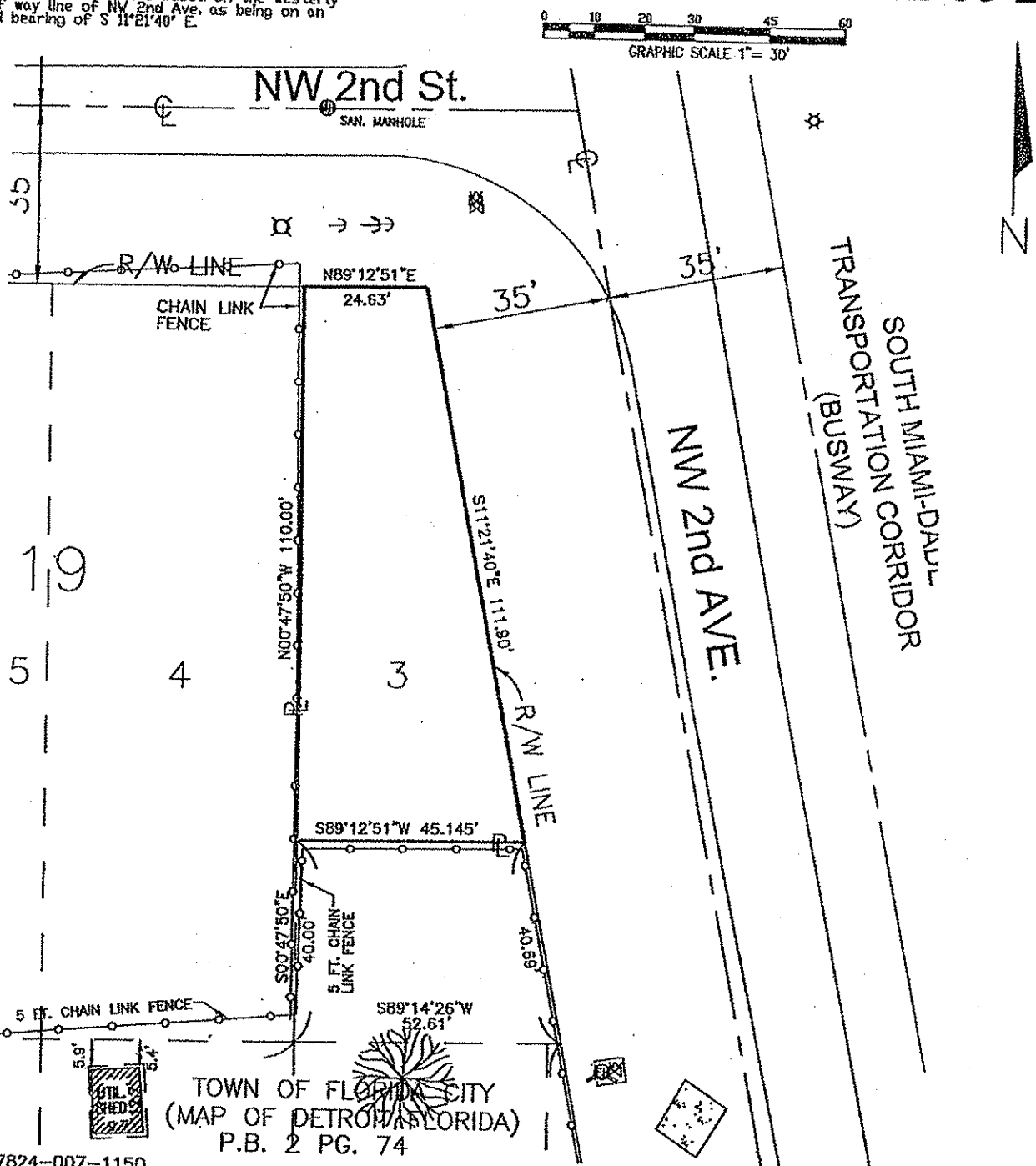
EXHIBIT "A"

SEC 24
TWP 57 S
RGE 38 E

LEGEND
- BOUNDARY LINE PARCEL 110
- CENTER LINE
- RIGHT-OF-WAY

SURVEYOR'S NOTES:
Bearings shown hereon are based on the westerly right of way line of NW 2nd Ave. as being on an assumed bearing of S 11°21'40" E.

ABBREVIATIONS:
TWP.= Township Rge.= Range Sec.= Section
C.B.S.= Concrete Block Structure
San.= Sanitary CL= Centerline
P.B.= Plat Book Pg.= Page Util.= Utility
Elev.= Elevation



FOLIO 16-7824-007-1150
PARCEL AREA: 3838 SQ. FT. OR 0.088 AC.±
THIS SKETCH IS A GRAPHIC REPRESENTATION OF THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED AND WITHOUT WHICH THIS SKETCH IS TO BE CONSIDERED VOID AND INCOMPLETE.

MIAMI-DADE PWD

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION	PARK & RIDE AT SW 344 ST. & BUSWAY PARCEL NO. 110	SCALE: 1" = 30' DATE: 9-13-11 PREPARED BY: S. BURTON CHECKED BY: J. TIRADO PROJECT 20100622 SHEET 2 OF 2

Legal Description
(Fee Simple)

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EXHIBIT "A"
(1 of 2)

Miami-Dade County
Public Works R/W Division
S. Burton PSM 4982

Parcel Boundary Closure Report
Date: 6-14-11
Figure Name: "Parcel 110"
Project Name: Florida City Park & Ride at SW 344 St.
Project No. 20100622

State Plane Coordinates: NAD 83
NE Corner: X=827753.54 Y=406058.49
Course: S 11-21-40 E Distance: 111.92
SE Corner: X=827775.59 Y=405948.76
Course: S 89-14-26 W Distance: 45.15
SW Corner: X=827730.44 Y=405948.16
Course: N 00-47-50 W Distance: 110.00
NW Corner: X=827728.91 Y=406058.15
Course: N 89-12-51 E Distance: 24.63
NE Corner: X=827753.54 Y=406058.49

Perimeter: 291.70
Area: 3838.12

Error of Closure: 0.00234
Precision: 1: 124658.12

R-46-12

CFN 2012R0386273
OR Bk 28132 Pgs 0571 - 576; (6pgs)
RECORDED 06/01/2012 12:37:49
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. 11-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA, CONVEYING BY QUIT-CLAIM DEED TO THE COUNTY ALL RIGHT, TITLE, AND INTEREST IN FOLIO NUMBER 16-7824-007-1150 IN THE CITY OF FLORIDA CITY, FLORIDA, AND AUTHORIZING MAYOR TO EXECUTE QUIT-CLAIM DEED; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City owns the north 110.00 feet of Lot 3, Block 19; of Town of Florida City (map of Detroit, Florida) according to the plat thereof, as recorded in Plat Book 2 at Page 74 of the public records of Miami-Dade County, hereinafter referred to as "the Property"; and

WHEREAS, the City seeks to confirm its intent to convey to the County by quit-claim deed all of the City's right, title, and interest in the entirety of the Property.

BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA:

Section 1: That the whereas clauses are hereby incorporated as true and correct as the findings of fact and conclusions of law of the City Commission.

Section 2. That the City Commission hereby authorizes the conveyance of all right, title, and interest in the Property to Miami-Dade County.

Section 3. That the Mayor is hereby authorized to prepare and execute a quit-claim deed effectuating the above stated intent.

PASSED AND ADOPTED by the Mayor and City Commission of the City of Florida, City, Florida this 13th day of September******, 2011.**

OTIS T. WALLACE, Mayor

RESOLUTION NO: 11-44

Attest:

JENNIFER EVELYN, City Clerk

Approved as to form and legal sufficiency:

Regine Monestime, City Attorney

Offered by: Mayor

Motion to adopt by: Vice Mayor Berry

Seconded By: Comm. Butler

FINAL VOTE AT ADOPTION:

Mayor Otis T. Wallace: Yes

Vice Mayor Eugene D. Berry: Yes

Commissioner Daurell Dorsett Yes

Commissioner Sharon Butler: Yes

Commissioner R.S. Shiver: Yes

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TWP 57 S
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Miami-Dade County Public Works Department
Right of Way Division, Engineering Section
111 NW 1 Street, Suite 1610
Miami, Florida 33128-1970

By:_____
Steven E. Burton, PSM
Professional Land Surveyor & Mapper No. 4982
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MIAMI-DADE M MIAMI-DADE PWD

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION	PARK & RIDE AT SW 344 ST. & BUSWAY	SCALE: NTS	DATE: 6-27-11
		PREPARED BY: S. BURTON	
		CHECKED BY: W. SUTTON	
	PARCEL NO. 110	PROJECT 2010-0622	SHEET 1 OF 2

EXHIBIT "A"

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LEGEND:
- BOUNDARY LINE PARCEL 110
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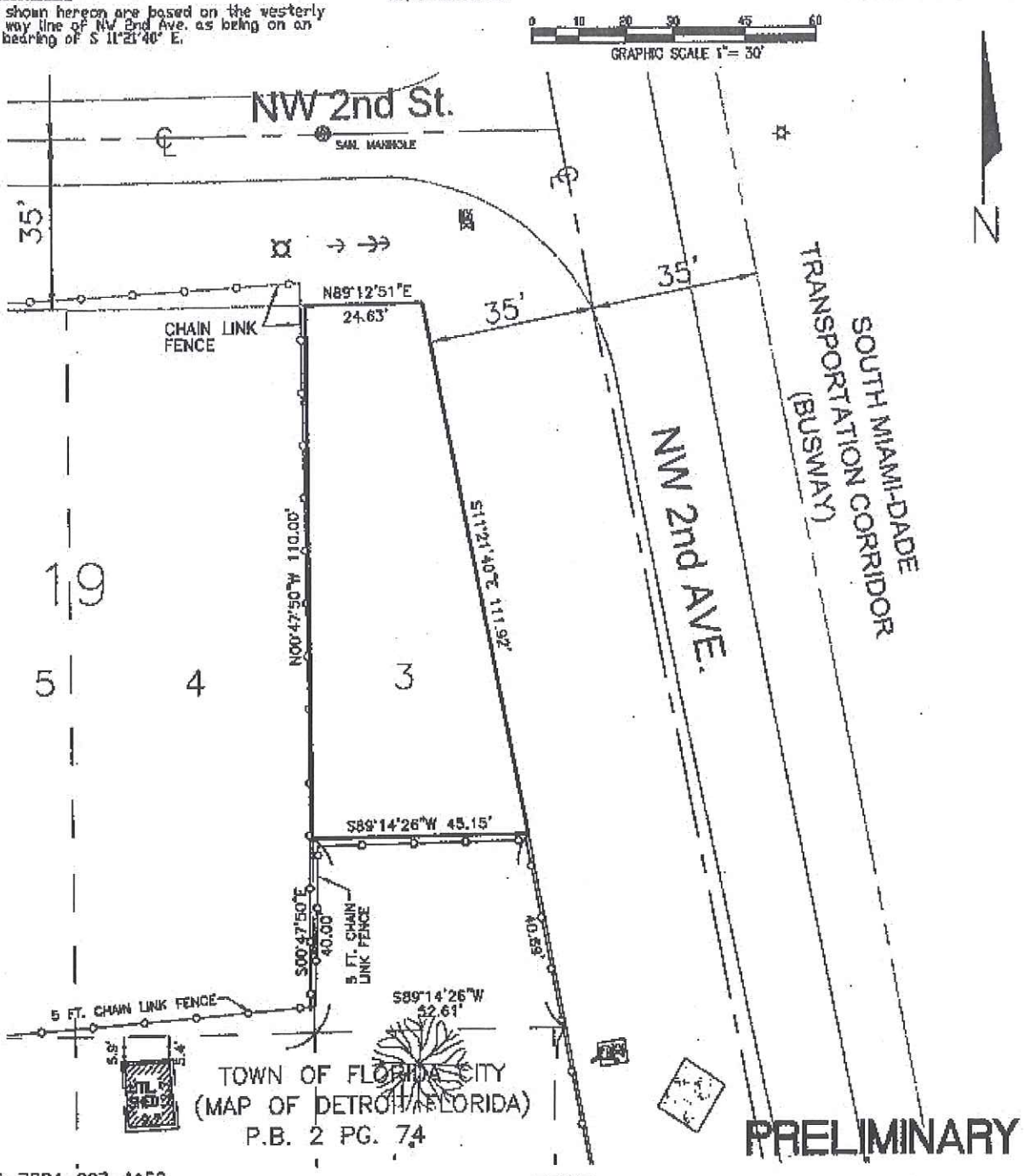

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MIAMI-DADE MIAMI-DADE PWD

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION MIAMI-DADE COUNTY PUBLIC WORKS DEPT. RIGHT OF WAY DIVISION ENGINEERING SECTION	PARK & RIDE AT SW 344 ST. & BUSWAY	SCALE: 1" = 30' | DATE: 6-27-11 PREPARED BY: S. BURTON CHECKED BY:
	PARCEL NO. 110	PROJECT 20100622 | SHEET 2 OF 2

Miami-Dade County
Public Works R/W Division

Legal Description
(Fee Simple)

Parcel 110

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Miami-Dade County
Public Works R/W Division
S. Burton PSM 4982

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