



MEMORANDUM

Agenda Item No. 8(L) (2)

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

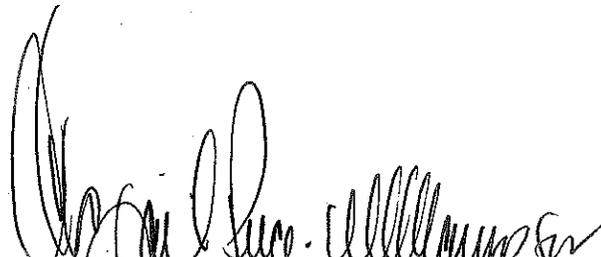
**DATE:** May 1, 2012

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

**SUBJECT:** Resolution accepting conveyance  
of vacant lands from Habitat for  
Humanity of Greater Miami, Inc.,  
pursuant to the Infill Housing  
Program

Resolution No. R-370-12

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.



R. A. Cuevas, Jr.  
County Attorney

RAC/up

# Memorandum



**Date:** May 1, 2012

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

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Resolution Accepting Conveyance of Vacant Lands from Habitat for Humanity of Greater Miami, Inc.

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## **Recommendation**

It is recommended that the Board of County Commissioners (Board) in the best interest of Miami-Dade County (County) accept conveyance of two (2) vacant Infill Housing lots from Habitat for Humanity of Greater Miami, Inc. (Habitat). The lots cannot be developed as required in the County Deed and Habitat would like to return the vacant lots.

## **Scope**

The 15,105 square foot lot, folio number 30-3111-024-0070, was assessed at \$28,700; and the 5,489 square foot lot, folio number 01-3114-000-0130, was assessed at \$19,743 in 2011. The referenced lots are both located in Commission District 3.

## **Fiscal Impact/Funding Source**

The lands will be conveyed to the County for the nominal ten dollars (\$10) consideration. Public Housing and Community Development (PHCD) has estimated the annual maintenance costs for both lots conveyed to the County pursuant to this resolution will be \$1,017 (\$746 for folio 30-3111-024-0070 and \$271 for folio 01-3114-000-0130).

## **Track Record/Monitor**

Quit Claim Deeds have been executed by Habitat transferring the property to the County. PHCD will ensure that the Deeds are properly filed and recorded with the Clerk of the Courts. Internal Services Department (ISD) will maintain the lots and the two lots will go back into the County's surplus land inventory administered by ISD. This project will be monitored by Alan S. Eson, PHCD Real Estate Officer.

## **Background**

Habitat has been constructing affordable housing as part of the Hope VI redevelopment project and requested that the County convey these two (2) lots to them since they are located in the Hope VI Expansion Area. The Board adopted Resolutions No. R-415-08 April 8, 2008 authorizing the conveyance of these two lots to Habitat for folio number 30-3111-024-0070; and the Board adopted Resolution R-1356-09 December 1, 2009 for folio number 01-3114-000-0130.

The County Deed restriction requires that the lots be developed with affordable single family housing. However, when Habitat attempted to obtain building permits they were informed by the City of Miami's Right-of-Way Division that a large portion of the parcel with folio number 01-3114-000-0130 was needed for a road right-of-way, and thus the parcel would be reduced in size. The parcel with folio number 30-3111-024-0070 also had issues with road access, thus rendering both parcels unbuildable. Habitat therefore, seeks to convey these two parcels back to the County as

Honorable Chairman Joe A. Martinez .  
and Members, Board of County Commissioners  
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demonstrated by the two (2) Quit Claim Deeds attached hereto as Attachments A and B. Title searches were performed and the lots are free of encumbrances. The two lots will go back into the County's surplus land inventory administered by the Internal Services Department.

Habitat agreed to build affordable single family homes for the Infill Program. Habitat has maintained the properties as agreed and performed their due diligence to develop the properties however; due to right-of-way issues they were unable to develop the lots as intended. There are no encumbrances or unpaid taxes due on the lots and Habitat wishes to voluntarily convey the lots to the County in accordance to the reverter in the County Deed and County Agreements.

Attachments

A handwritten signature in black ink, appearing to be 'J. Martinez', written over a horizontal line.

Deputy Mayor



# MEMORANDUM

(Revised)

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

**DATE:** May 1, 2012

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

**SUBJECT:** Agenda Item No. 8(L) (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(L) (2)  
5-1-12

RESOLUTION NO. R-370-12

RESOLUTION ACCEPTING CONVEYANCE OF VACANT  
LANDS FROM HABITAT FOR HUMANITY OF GREATER  
MIAMI, INC. PURSUANT TO THE INFILL HOUSING  
PROGRAM

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

**WHEREAS**, Habitat for Humanity, Inc. has tendered quit claim deeds conveying to Miami-Dade County the property interests in parcels of land located within Miami-Dade County, Florida, for public purposes identified in the County Mayor's memorandum and the instruments of conveyance all of which are attached hereto and made a part hereof; and

**WHEREAS**, upon consideration of the County Mayor's recommendation, the Board finds and determines that the acceptance of such conveyances would be in the public's best interest,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the conveyances by Habitat for Humanity, Inc. be and the same are hereby approved and accepted; and pursuant to Resolution No. R-974-09, (a) directs the County Mayor or County Mayor's designee to record the instruments of conveyances accepted herein in the Public Records of Miami-Dade County and to provide a recorded copy of each instrument to the Clerk of the Board within thirty (30) days of execution of said instruments; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of each of said instruments together with this resolution.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of May, 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.

Terrence A. Smith

After recording, return to:  
Public Housing and Community Development  
Attn: Alan Eson, Real Estate Officer  
701 N.W. 1 Court, 16<sup>th</sup> Floor  
Miami, FL 33136

This instrument was prepared by:  
Rachel McDaniels  
Habitat for Humanity of Greater Miami  
3800 NW 22<sup>nd</sup> Avenue  
Miami, FL 33142

Property Appraiser's Identification Number:  
01-3114-000-0130

[Space above for recording data]

**QUIT CLAIM DEED**

**This Quit Claim Deed** executed the 3 day of November, 2011 by Habitat for Humanity of Greater Miami, Inc., a Florida Non-Profit Corporation (the Grantor), whose post office address is 3800 NW 22<sup>nd</sup> Avenue, Miami, FL 33142, to Miami-Dade County, a Political Subdivision of the State of Florida (the Grantee), whose post office address is 111 NW 1<sup>st</sup> Street, Miami, FL 33128.

**Witnesseth**, that the Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars, and other good and valuable consideration, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the Grantee forever, all the right, title, interest, claim and demand which the Grantor has in and to the following described property, situate, lying and being in the County of Miami-Dade, State of Florida, to wit:

A parcel of land in the E ½ of the SE ¼ of the NE ¼ of the SE ¼ of Section 14, Township 53 S, Range 41 E, more particularly described as follows: Commence at the NE corner of the E ½ of the SE ¼ of the NE ¼ of the SE ¼ of said Section 14; thence go S along the E line of the SE ¼ of said Section 14 for a distance of 369 feet to a point; thence go W for a distance of 281.64 feet to the Point of Beginning; thence continue along the same line for a distance of 51.63 feet (deed 51.32) to a point, thence go S 00 degrees 19 minutes 40 seconds E for a distance of 107 feet to the Point of Beginning. All the foregoing being and lying within the City of Miami, Miami-Dade County, Florida.

**To have and to hold**, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the Grantor, either in law or equity for the use, benefit and behoovement of the Grantee forever.

**In witness whereof**, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

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Signed, sealed and delivered in the presence of:

Habitat for Humanity of Greater Miami, Inc.:

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Mario Artecona  
Chief Executive Officer

\_\_\_\_\_  
Witness signature

(Corporate Seal)

STATE OF FLORIDA       |  
COUNTY OF MIAMI-DADE   |

The following instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2011 by Mario Artecona, who is personally known to me, or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public Signature

(Notary Seal)

The foregoing was authorized by Resolution No. R-1356-09 approved by the Board of County Commissioners of Miami-Dade County, Florida, on the 1<sup>st</sup> day of December, 2009.

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After recording, return to:  
Public Housing and Community Development  
Attn: Alan Eson, Real Estate Officer  
701 N.W. 1 Court, 16<sup>th</sup> Floor  
Miami, FL 33136

This instrument was prepared by:  
Rachel McDaniels  
Habitat for Humanity of Greater Miami  
3800 NW 22<sup>nd</sup> Avenue  
Miami, FL 33142

Property Appraiser's Identification Number:  
30-3111-024-0070

[Space above for recording data]

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**This Quit Claim Deed** executed the 3 day of November, 2011 by Habitat for Humanity of Greater Miami, Inc., a Florida Non-Profit Corporation (the Grantor), whose post office address is 3800 NW 22<sup>nd</sup> Avenue, Miami, FL 33142, to Miami-Dade County, a Political Subdivision of the State of Florida (the Grantee), whose post office address is 111 NW 1<sup>st</sup> Street, Miami, FL 33128.

**Witnesseth**, that the Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars, and other good and valuable consideration, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the Grantee forever, all the right, title, interest, claim and demand which the Grantor has in and to the following described property, situate, lying and being in the County of Miami-Dade, State of Florida, to wit:

E 53 FT OF N 260 FT OF LOT 4 & S 12½ FT LYG N & ADJ PER R1382-72,  
ROBERTS SUB, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT  
BOOK B, PAGE 133, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY,  
FLORIDA.

**To have and to hold**, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the Grantor, either in law or equity for the use, benefit and behoovement of the Grantee forever.

**In witness whereof**, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Habitat for Humanity of Greater Miami, Inc.:

\_\_\_\_\_  
Witness signature

\_\_\_\_\_  
Mario Artecona  
Chief Executive Officer

\_\_\_\_\_  
Witness signature

(Corporate Seal)

STATE OF FLORIDA       |  
COUNTY OF MIAMI-DADE   |

The following instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2011 by Mario Artecona, who is personally known to me, or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public Signature

(Notary Seal)

The foregoing was authorized by Resolution No. R-415-08 approved by the Board of County Commissioners of Miami-Dade County, Florida, on the 8<sup>th</sup> day of April, 2008.