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

MEMORANDUM

Agenda Item No. 5(D)

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

DATE: July 3, 2012

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

SUBJECT: Resolution declaring surplus County-owned properties located on NW 9 Avenue, between NW 12 Street and NW 14 Street, Florida City, Florida; authorizing the public sale of same to the highest bidder(s)

Resolution No. R-526-12

This item was present to the Internal Management and Fiscal Responsibility committee on 6-12-12. Although required, no public hearing was conducted. As such the public hearing is being held at the 7-3-12 BCC meeting.

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: July 3, 2012

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Declaring Surplus County-owned Properties Surplus and Authorizing Sale to the Highest Bidder: Folio Numbers 16-7824-014-0270 and 16-7824-014-0280, located at N.W. 9 Avenue, Between N.W. 12 and N.W. 14 Streets, Florida City, Florida

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RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve this resolution, which does the following:

- declares the County-owned properties located on NW 9 Avenue, between NW 12 and NW 14 Streets, Florida City, FL as surplus;
- authorizes the two properties to be sold to the highest bidder through the County's competitive bidding process;
- waives Implementing Order 3-44, as it relates to the utilization of available County-owned property under the County's Infill Housing Program, for these two properties; and
- waives Administrative Order 8-4 as it relates to review by the Planning Advisory Board.

OWNER:	Public Housing and Community Development (PHCD)
FOLIO NO.:	16-7824-014-0270 16-7824-014-0280
LOCATION:	NW 9 Avenue, between NW 12 and NW 14 Streets, Florida City, FL
SIZE:	Both properties are 6,240 square feet each, or 12,480 square feet combined
COMMISSION DISTRICT:	District 9
ZONING:	Florida City – RM-15 (High Density Residential)
APPRAISED VALUE:	Each property was valued by Pena Appraisal Service, Inc., an independent State of Florida certified appraiser, on October 7, 2011, at $4,000 (see attachment).
MINIMUM SALE AMOUNT:	If approved for surplus, the properties will be put out to bid with a minimum bid amount of $4,000 each.
FISCAL IMPACT/ FUNDING SOURCES:	As noted further in this cover memorandum, the County has spent a total of $25,135 in maintenance costs over the years and $800 for an appraisal. The sale of these vacant parcels of land will eliminate the County's obligation to maintain the properties, which together cost approximately $1,320 per year.

If the adjacent property owner, a church, is the successful bidder for both properties, no tax revenue will be realized. If the properties are purchased by another person or entity without tax exempt status, the properties will generate annual tax revenue.

JUSTIFICATION:

The Board is authorized to convey the two vacant parcels of land pursuant to section 125.35(1) of the Florida Statutes, if the Board determines that it is in the best interest of the County to do so to the highest and best bidder for the particular use the Board deems to be the highest and best, along with such conditions as the Board may in its discretion determine.

The properties were circulated to all County departments and no County use was identified. The adjacent property owner, the Greater St. Matthew Holiness Church, has expressed an interest in purchasing the properties

COMMENTS:

Resolution R-376-11, approved by the Board on May 3, 2011, requires that any resolution authorizing the improvement, rehabilitation or conveyance of County-owned real property appropriate for or to be used for affordable housing include the following information:

- The properties, combined, consist of approximately 12,480 square feet of vacant land.
- The properties were acquired by the County with Community Development Block Grant (CDBG) funds to build affordable housing in Florida City. One property was acquired on March 18, 1998 (16-7824-014-0270), and the other property was acquired on April 16, 1998 (16-7824-014-0280). The records are recorded in OR Book 18037, at Page 3900, and OR Book 18069, at Page 1865, respectively.
- The properties were acquired by the County at the following amounts:
    - Folio Number 16-7824-014-0270 for $12,343
    - Folio Number 16-7824-014-0280 for $18,915.
- The County has spent CDBG funds for maintenance in the amount $12,606 for Folio Number 16-7824-014-0270, $12,529 for Folio Number 16-7824-014-0280, and an additional $800 was spent in 2011 for an appraisal of both properties.
- CDBG Regulations, 24 C.F.R. Part 570, require that the properties be used to meet a national objective (as defined by said regulations). Because the properties remain vacant, causing no CDBG national objective to be met, the County may dispose of the properties and reimburse the County's CDBG account the amount of the current fair market value of the property. The money generated from the sale of the properties will go into the PHCD's CDBG Program account for eligible projects.

- The 2011 Assessed Value pursuant to the Property Appraiser is as follows:
  - 16-7824-014-0270 - $13,900
  - 16-7824-014-0280 - $13,900

  The assessment date used by the County, per State Statute, is January 1st of each calendar year. Therefore, the current value reflected on the tax roll is establishing the value for January 1, 2011 which is primarily based on prior years sales. The County has just begun to analyze all the applicable sales in 2011 in preparation for the 2012 tax roll. There may have been changes in market conditions, which the County is now in the process of reviewing. The assessment notices for the 2012 tax roll will be made available to the public in late August 2012.

RESTRICTIONS: The two properties will be conveyed by the County without any restrictions.

REMEDIES: N/A

MONITOR: Steven W. Mayers, Internal Services Department.

DELEGATED AUTHORITY: Authorizes the County Mayor or County Mayor's designee to sell the properties via sealed bid to the highest bidder(s), and take all actions necessary to accomplish the sale of the properties, and authorizes the Chairperson or Vice-Chairperson to execute County Deeds for such purpose.

Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: July 3, 2012

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

SUBJECT: Agenda Item No. 5(D)

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. 5(D)
7-3-12

RESOLUTION NO. R-526-12

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTIES LOCATED ON N.W. 9 AVENUE, BETWEEN N.W. 12 STREET AND N.W. 14 STREET, FLORIDA CITY, FLORIDA; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER(S); WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; WAIVING IMPLEMENTATION ORDER 3-44, AS IT RELATES TO THE UTILIZATION OF AVAILABLE COUNTY-OWNED PROPERTY UNDER THE COUNTY'S INFILL HOUSING PROGRAM, FOR THESE TWO PROPERTIES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTIES; AND AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEEDS FOR SUCH PURPOSE

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, for the property described in the accompanying County Deeds, copies of which are incorporated herein by reference; and

WHEREAS, pursuant to section 125.35(1) Florida Statutes, the Board has determined that it is in the best interests of the County to sell the two (2) County-owned properties located on N.W. 9th Avenue, between N.W. 12th Street and N.W. 14th Street, Florida City, Florida, to the highest bidder,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board adopts the foregoing recitals, and that pursuant to section 125.35(1) Florida Statutes, hereby declares surplus the two (2) County-owned properties located on N.W. 9th Avenue, between N.W. 12th Street and N.W. 14th Street, Florida City, Florida (Folio Numbers: 16-7824-014-0270 and 16-7824-014-0280); authorizes the sale to the highest bidder(s); waives Administrative Order 8-4 as it relates to review by the Planning Advisory Board; waives Implementation Order 3-44, as it relates to the utilization of available County-owned property under the County's Infill Housing Program; authorizes the County Mayor or County Mayor's designee to take all actions necessary to accomplish the sale of said properties, legally described in the aforementioned County Deeds; authorizes the Chairperson (or Vice Chairperson) to execute said County Deeds, in substantially the form attached hereto and incorporated herein by reference; and which pursuant to Resolution No. 974-09 (a) directs the Chairperson (or Vice Chairperson) to record the County Deeds authorized herein in the public records of Miami-Dade County, and to provide a recorded copy of the County Deeds to the Clerk of the Board within thirty (30) days of execution and final acceptance; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of County Deeds together with this resolution.

The foregoing resolution was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Lynda Bell** 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	**absent**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**absent**
Xavier L. Suarez	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of July, 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. JRA

Juliette R. Antoine

Instrument prepared by and returned to:
Miami-Dade County, Internal Services Department
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

Folio Number: 16-7824-014-0270

COUNTY DEED

THIS DEED, made this ____ day of _____, 2012, by Miami-Dade County, Florida, a political subdivision of the State of Florida, whose address is Stephen P. Clark Center, 111 N.W. 1 Street, Miami, Florida 33128, party of the first part, and _____, whose address is _____, Florida, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs, and assigns forever, the following described property lying and being in Miami-Dade County, Florida:

LOT 6, BLOCK 2, OF MAC ARTHUR HOMESITES, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 43, AT PAGE 99, AS RECORDED IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

Folio No.: 16-7824-014-0270

Subject to the following restrictions:

This conveyance is made by the party of the first part and accepted by the party of the second part subject to all laws, regulations, and restrictions including any and all building and zoning ordinances of municipal or other governmental authorities applicable and enforceable against the above described property and all valid and subsisting conditions, covenants, reservations, exceptions, rights-of-way, and/or easements of record.

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 Chairperson or Vice Chairperson of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK
Miami-Dade County, Florida

By: _____
Deputy Clerk

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Joe A. Martinez, Chairman

Approved for legal sufficiency: _____

The foregoing was authorized by Resolution No. R- approved by the Board of County Commissioners of Miami-Dade County, Florida, on the day of , 2012.

Instrument prepared by and returned to:
Miami-Dade County, Internal Services Department
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

Folio Number: 16-7824-014-0280

COUNTY DEED

THIS DEED, made this ____ day of _____, 2012, by Miami-Dade County, Florida, a political subdivision of the State of Florida, whose address is Stephen P. Clark Center, 111 N.W. 1 Street, Miami, Florida 33128, party of the first part, and _____, whose address is _____, Florida, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs, and assigns forever, the following described property lying and being in Miami-Dade County, Florida:

LOT 7, BLOCK 2, OF MAC ARTHUR HOMESITES, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 43, AT PAGE 99, AS RECORDED IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

Folio No.: 16-7824-014-0280

Subject to the following restrictions:

This conveyance is made by the party of the first part and accepted by the party of the second part subject to all laws, regulations, and restrictions including any and all building and zoning ordinances of municipal or other governmental authorities applicable and enforceable against the above described property and all valid and subsisting conditions, covenants, reservations, exceptions, rights-of-way, and/or easements of record.

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 Chairperson or Vice Chairperson of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK
Miami-Dade County, Florida

By: _____
Deputy Clerk

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Joe A. Martinez, Chairman

Approved for legal sufficiency: _____

The foregoing was authorized by Resolution No. R- approved by the Board of County Commissioners of Miami-Dade County, Florida, on the day of , 2012.

PEÑA APPRAISAL SERVICE INC
Real Estate Appraisers & Consultants
5402 W. Flagler Street
Miami, Florida 33134
Telephone (305) 448-5241
Fax (305) 448-2869

ACCORDINGLY, IT IS OUR OPINION THAT THE MARKET VALUE OF THE FEE SIMPLE INTEREST IN THE SUBJECT PROPERTIES, SUBJECT TO OTHER ASSUMPTIONS AND LIMITING CONDITIONS, AS OF OCTOBER 7TH 2011, ARE:

FOUR THOUSAND DOLLARS

$4,000.00
FO R PARCEL 1AND

FOUR THOUSAND DOLLARS
$4,000.00
FOR PARCEL 2

Peña Appraisal Service Inc.

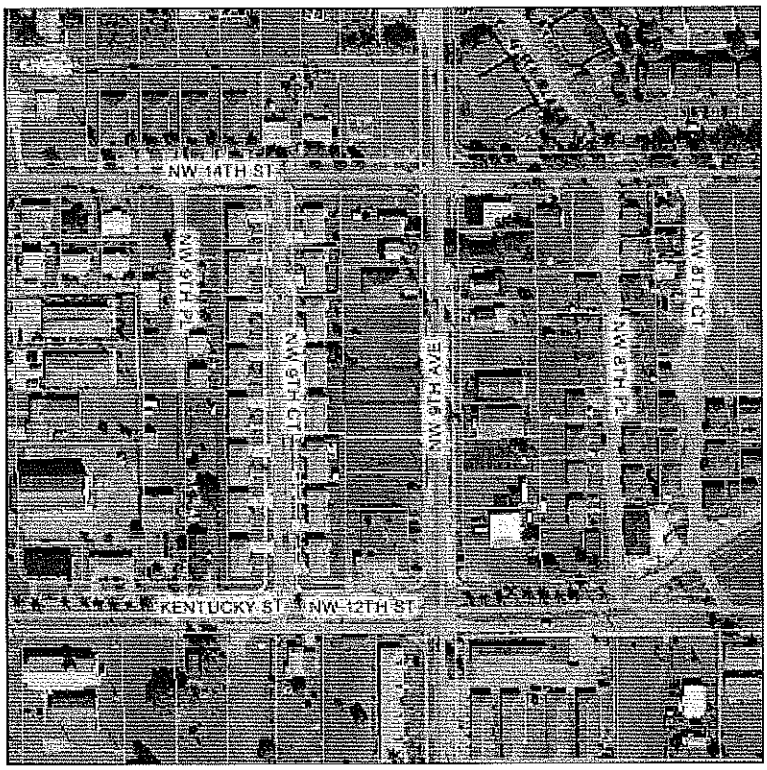
Ralph Peña Jr.
State Certified General Real Estate Appraiser RZ67

My Home
Miami-Dade County, Florida

miamidade.gov

MIAMI-DADE

Property Information Map



Aerial Photography - 2009 0 112 ft

This map was created on 5/2/2012 2:34:39 PM for reference purposes only.

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HOME

Summary Details:

Folio No.:	16-7824-014-0270
Property:	
Mailing Address:	MIAMI-DADE COUNTY OCED 701 NW 1 CT 14TH FLOOR MIAMI FL 33136-

Property Information:

Primary Zone:	3000 MULTIPLE APARTMENTS
CLUC:	0080 VACANT LAND GOVERNMENT
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	6,240 SQ FT
Year Built:	0
Legal Description:	MAC ARTHUR HOMESITES PB 43-99 LOT 6 BLK 2 LOT SIZE 52.000 X 120 OR 21630-3119 0503 3 OR 16278-3704 0294 00

Assessment Information:

Year:	2011	2010
Land Value:	$13,900	$28,305
Building Value:	$0	$0
Market Value:	$13,900	$28,305
Assessed Value:	$13,900	$28,305

Taxable Value Information:

Year:	2011	2010
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$13,900/$0	$28,305/$0
County:	$13,900/$0	$28,305/$0
City:	$13,900/$0	$28,305/$0
School Board:	$13,900/$0	$28,305/$0

Sale Information:

Sale Date:	2/1994
Sale Amount:	$3,000
Sale O/R:	16278-3704
Sales Qualification Description:	Sales which are qualified
View Additional Sales	

My Home
Miami-Dade County, Florida

miamidade.gov

MIAMI-DADE

Property Information Map

Aerial Photography - 2009 0 112 ft

This map was created on 5/2/2012 2:36:10 PM for reference purposes only.

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Print

Summary Details:

Folio No.:	16-7824-014-0280
Property:	1239 NW 9 AVE
Mailing Address:	MIAMI-DADE COUNTY OCED 701 NW 1 CT 14TH FLOOR MIAMI FL 33136-

Property Information:

Primary Zone:	3000 MULTIPLE APARTMENTS
CLUC:	0080 VACANT LAND GOVERNMENT
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	6,240 SQ FT
Year Built:	0
Legal Description:	24 57 38 MAC ARTHUR HOMESITES PB 43-99 LOT 7 BLK 2 LOT SIZE 52.000 X 120 OR 21630-3119 0503 3 OR 11252-0079 0481 00

Assessment Information:

Year:	2011	2010
Land Value:	$13,900	$28,305
Building Value:	$0	$0
Market Value:	$13,900	$28,305
Assessed Value:	$13,900	$28,305

Taxable Value Information:

Year:	2011	2010
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$13,900/$0	$28,305/$0
County:	$13,900/$0	$28,305/$0
City:	$13,900/$0	$28,305/$0
School Board:	$13,900/$0	$28,305/$0

Sale Information:

Sale Date:	4/1981
Sale Amount:	$5,300
Sale O/R:	11252-0079
Sales Qualification Description:	Sales which are qualified
View Additional Sales	