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

MEMORANDUM Agenda Item No. 8(F)(1)

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 real property located at SW 157th Avenue and SW 324th Street, also known as area 291; and authorizing the public sale of same to the highest bidder; waiving Administrative Order 8-4 as it relates to review by the Planning Advisory Board

Resolution No. R-543-12

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

R. A. Cuevas, Jr.
County Attorney

RAC/cp

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 Real Property Located at SW 157 Avenue and SW 324 Street, Homestead, FL - Folio No. 10-7917-001-0580

RECOMMENDATION

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

- declares a 10-acre, County-owned parcel located at SW 157 Avenue and SW 324 Street, Homestead, FL as surplus,
- authorizes the property to be sold to the highest bidder through the County's competitive bidding process; and
- waives Administrative Order 8-4 as it relates to review by the Planning Advisory Board because the property is located within the City of Homestead. The action to surplus and sell was not presented to the Planning Advisory Board because they do not have jurisdiction in the City of Homestead.

AppraisalFirst Real Estate Appraisers LLC, an independent State of Florida certified appraiser, valued the property at $480,000 as of January 12, 2012 (see attachment). If approved for surplus, the property will be put out to bid with a minimum bid amount of $480,000.

SCOPE

The property identified in this item is located in County Commission District 8.

FISCAL IMPACT/FUNDING SOURCE

The sale of this property will eliminate the County's obligation to maintain the property, which costs approximately $2,000 per year, and will place the property back on the tax roll, generating approximately $9,000 in annual ad valorem taxes.

TRACK RECORD/MONITOR

The Internal Services Department, Real Estate Development Division is managing the sale of this property.

DELEGATION OF AUTHORITY

Authorizes the County Mayor or the County Mayor's designee to sell the property via sealed bid to the highest bidder, take all actions necessary to accomplish the sale of the property, and authorizes the Chairperson or Vice Chairperson to execute a County Deed for such purpose.

BACKGROUND

The County acquired this parcel in 1939 for the excavation of marl soil (a mixture of fine-grained minerals) for County construction projects. Records show that only the eastern portion of the site was excavated between 1939 and 1966, and, for a short period of time in 1966, that same area was used by the City of Homestead and the City of Florida City as a sanitary landfill.

During the 1970's and 1980's there appears to have been no activity on the site. On July 25, 1989, the Board approved Resolution R-902-89, which declared this property surplus and authorized its

sale to the highest bidder. However, the property was not sold at that time because the Parks, Recreation and Open Space Department (formerly known as Park and Recreation) subsequently reconsidered their need for the property and requested that it be retained by the County for future park use. From 1995 to 1998, approximately four acres were leased to Gulf State Tree Suppliers for a tree farm at a rental rate of $1,000 per year.

In 2004, the City of Homestead annexed the surrounding area, negating any future use of the property as a County operated neighborhood park. The property was offered to both the City of Homestead and the Miami-Dade County School Board for trade or other considerations, but each declined to acquire the property. The property has never been designated, classified or utilized as a park, and is not governed by Article 7 restrictions; therefore, in accordance with State Statute and County Code, the property can be disposed of as surplus property. The property was circulated to all County departments and no present or future County use was identified.

Additional property details are as follows, and, shown in the attached property map:

FOLIO NUMBER: 10-7917-001-0580

LOCATION: SW 157 Avenue and SW 324 Street, Homestead, FL

PROPERTY SIZE: 10 Acres

ZONING: G (General)

Edward Marquez
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. 8(F)(1)

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(F)(1)
7-3-12

RESOLUTION NO. R-543-12

RESOLUTION DECLARING SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED AT SW 157TH AVENUE AND SW 324TH STREET, ALSO KNOWN AS AREA 291; AND AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING THE EXECUTION OF A COUNTY DEED BY THE BOARD OF COUNTY COMMISSIONERS ACTING BY THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD FOR SUCH PURPOSE

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

WHEREAS, pursuant to Section 125.35(1) of the Florida Statutes, the Board has determined that it is in the best interests of the County to sell County-owned real property located at SW 157th Avenue and SW 324th Street, Homestead, to the highest bidder,

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

Section 1. This Board ratifies and accepts the prior recitals.

Section 2. Pursuant to Section 125.35(1) of the Florida Statutes, this Board hereby declares surplus County-owned real property located at SW 157th Avenue and SW 324th Street, Homestead; authorizes the sale to the highest bidder via competitive bidding for the minimum sale amount of $480,000.00; authorizes the County Mayor or the Mayor's designee to take all

actions necessary to accomplish the sale of said real property, legally described in the aforementioned County Deed; authorizes waiving Administrative Order 8-4 as it pertains to review by the Planning Advisory Board, and authorizes the execution of said County Deed by the Board of County Commissioners acting by the Chairperson or Vice Chairperson of the Board.

Section 3. Pursuant to Resolution No. R-974-09, the Board directs the County Mayor or the Mayor's designee to record the instrument of conveyance accepted herein 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 **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** 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	**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.

Debra Herman

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

Folio No. 10-7917-001-0580

COUNTY DEED

THIS DEED, made this day of , 20__ 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 N.W. 1 Street Suite 17-202, Miami, Florida 33128-1963, and _____, party of the second part, whose address is _____, Florida.

WITNESSETH:

That the 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 land lying and being in Miami-Dade County, Florida:

Lot 28 in Block 4 of MIAMI LAND AND DEVELEOPMENT COMPANY'S SUBDIVISION, in Section 17, Township 57 South, Range 39 East, Miami-Dade County, Florida, according to the plat thereof recorded in Plate Book 5 at Page 10 of the Public Records of Miami-Dade County, Florida LESS that portion of said lot 28 lying within the east 40 feet of the SE ¼ of said Section 17.

This grant conveys only the interest of Miami-Dade 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

By: _____
Deputy Clerk

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

By: _____
Chairperson or Vice Chairperson

Approved for legal sufficiency: _____

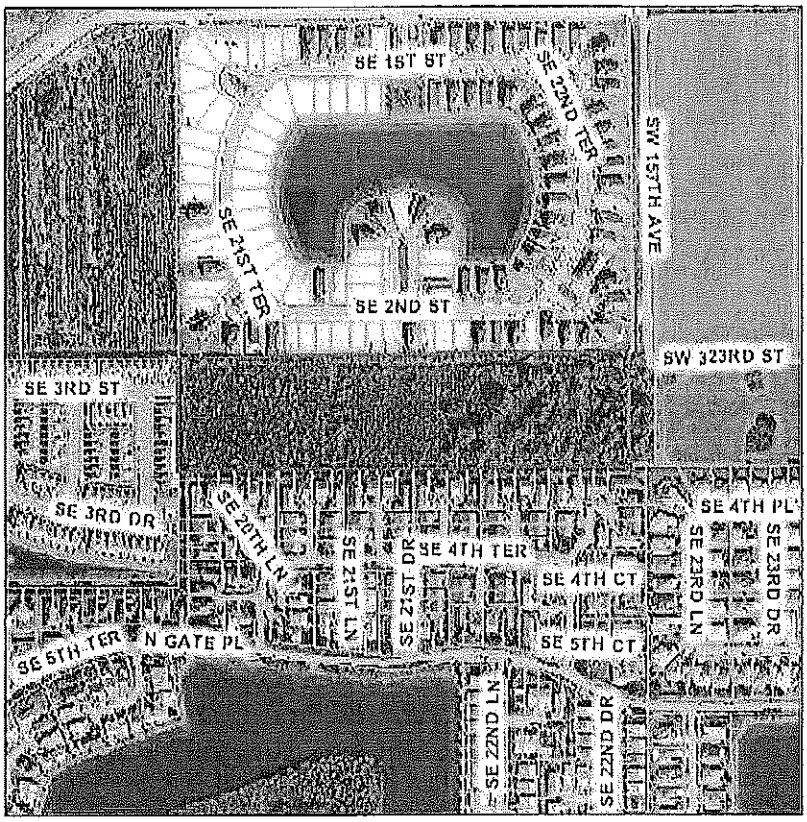
The foregoing was authorized by Resolution No. R-_____ approved by the Board of County Commissioners of Miami-Dade County, Florida, on the___ day of_____, 20___.

My Home
Miami-Dade County, Florida

miamidade.gov

MIAMI-DADE

Property Information Map



Aerial Photography - 2009 0 232 ft

This map was created on 5/7/2012 9:16:32 AM for reference purposes only.

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Print

Summary Details:

Folio No.:	10-7917-001-0580
Property:	
Mailing Address:	MIAMI-DADE COUNTY PARKS AND RECREATION 275 NW 2 ST 4FL MIAMI FL 33128-1794

Property Information:

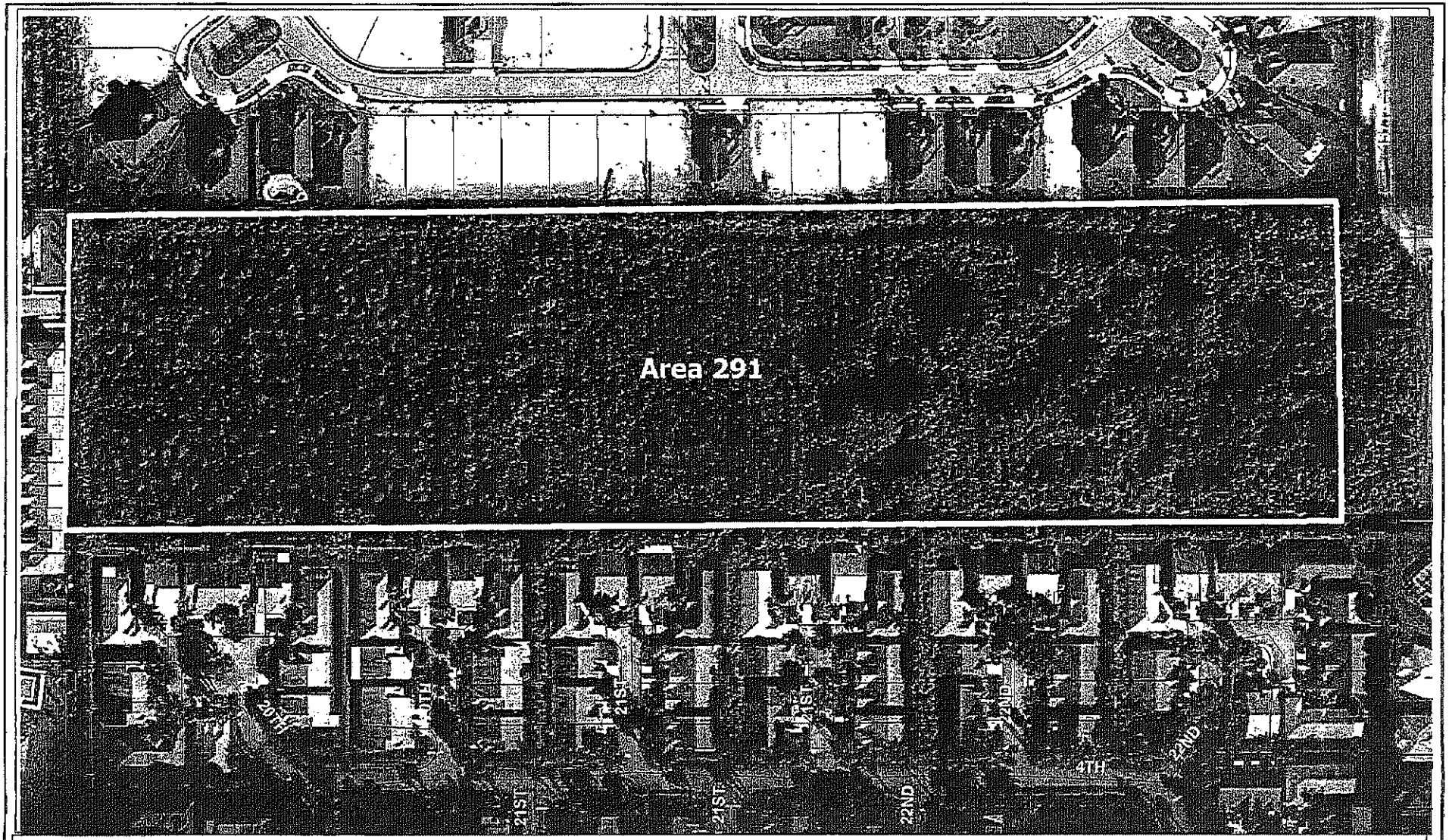
Primary Zone:	9000 AGRICULTURE
CLUC:	0080 VACANT LAND GOVERNMENT
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	10 ACRES
Year Built:	0
Legal Description:	17 57 39 10 AC MIAMI LAND & DEV COS SUB PB 5-10 LOT 28 BLK 4

Assessment Information:

Year:	2011	2010
Land Value:	$1,350,000	$1,800,000
Building Value:	$0	$0
Market Value:	$1,350,000	$1,800,000
Assessed Value:	$1,350,000	$1,800,000

Taxable Value Information:

Year:	2011	2010
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$1,350,000/ $0	$1,800,000/ $0
County:	$1,350,000/ $0	$1,800,000/ $0
City:	$1,350,000/ $0	$1,800,000/ $0
School Board:	$1,350,000/ $0	$1,800,000/ $0



AREA 291
2009 AERIAL PHOTO
SW 324TH ST & SW 157TH AVE
CLASS: NEIGHBORHOOD PARK
TYPE: LOCAL ACRES: 10

Legend
County Parks
Property Lines
St_Dade

AppraisalFirst
Real Estate Appraisers LLC

8525 NW 53rd Terrace, Suite 110
Miami, Florida 33166
Phone: 305-470-2100 / 305-470-2107
Fax: 305-470-2159
E-mail: anna@appraisalfirst.net
E-mail: commercial@appraisalfirst.net

January 12, 2012

Miami-Dade County GSA
Real Estate Division
c/o Mr. Dirk Duval
Real Estate Officer
111 NW 1st Street, Suite 2460
Miami, FL 33128

Re: A 10.0 Acre Vacant Tract of Land, located at
SW 157th Avenue and SW 323rd Street
Homestead, Florida 33033
PROJECT: PROS - 10-7917-001-0580

Dear Mr. Duval:

As requested we have prepared the attached Self Contained Appraisal Report of the above referenced property. The purpose of the report was to estimate the current "as is" Market Value of the subject property in fee simple title, as of January 10, 2012.

Market Value may be defined as the most probable price in terms of money which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.

The subject property consists of a 10.0 acre vacant tract of unimproved land in Homestead, Florida. The site is zoned G, General Use, per the City of Homestead Zoning Map. This is an interim zoning for annexed properties, until they are rezoned per the Future Land Use Map. The subject site is designated ISU, Institutional Use, by the City of Homestead Future Land Use Map. Currently, there is no paved road access to the site, however, there is a dirt road that leads directly to the eastern border of the property, from SW 323rd Street. The subject abuts Ventanas del Sol, a 117 unit single family project, which is not yet completed. This adjacent property originally contained 30 acres, and was subdivided at a density of 3.9 units per acre. The area surrounding the subject is in the Homestead Future Land Use Map for low density residential, which would allow a maximum density of 6 units per acre. There are no known contracts or listings on the subject property at time of appraisal.

The subject land was valued by the "across the fence" method. This is a land valuation method often used in the appraisal of corridors. The across the fence method is used to develop a value opinion based on comparison to abutting land. Source: Appraisal Institute, The Dictionary of Real Estate Appraisal, 5th ed. (Chicago: Appraisal Institute), 2010. In this case, the subject is "across the fence" from low density residential land, and that would be its most likely use, if it were not restricted to special and institutional uses. This method of valuation does not assume that the subject could be improved with a residential use. This valuation estimates the value of a restricted site based on the price of similar adjacent properties that have no restrictions.

The Dictionary of Real Estate Appraisal, 5th edition published by the Appraisal Institute, 2010 defines an Extraordinary Assumption as "An assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property."

The current condition of the subject site is overgrown, with large trees. It does not appear to have ever been cleared or farmed, due to the large trees on the site. The interior portions of the site could not be inspected, and were only viewed from SW 157th Avenue, which is a dirt road. Aerial views of the subject indicate that the entire site appears to be forested. The legal description of the site does not depict any restrictions such as NFC (Natural Forest Community) or EEL (Environmentally Endangered Lands). It is assumed that there are no wet areas, protected pine forests, or any other environmentally endangered trees, and that the site may be cleared for development at any time. Any deviation from this assumption will have a direct effect on the value conclusion of this appraisal report.

This is a Self Contained Appraisal Report which is intended to comply with reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. When appraising vacant land, the only applicable approach to value is the Sales Comparison Approach for land valuation. No plans, costs or specifications were provided in order to analyze any proposed construction on the subject. This self contained appraisal report only values the current "as is" market value of the subject property, as a 10.0 acre vacant site, by way of the Sales Comparison Approach, which will employ the "across the fence" method of valuation. This appraisal includes all applicable methods of valuation.

This appraisal has been made in accordance with the Standards of Practice and Code of Ethics of the Appraisal Institute, the requirements according to USPAP and FIRREA.

In our opinion, the current "as is" market value of the subject land, in fee simple title, as of January 10, 2012, is concluded at:

FOUR HUNDRED EIGHT THOUSAND DOLLARS
($480,000)

Respectfully Submitted,

Adria M. Kerti, MBA
State-Certified General Real
Estate Appraiser, No. 0001944

AnnaMaria Chavoustie, MAI
State-Certified General Real
Estate Appraiser, No. 0000323