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

MEMORANDUM

Agenda Item No. 8(F)(1)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 3, 2013

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

SUBJECT: Resolution declaring surplus vacant County-owned property located between Perimeter Road and State Road 836; authorizing a private sale to Perimeter Road Management, LLC in accordance with Florida Statute 125.35(2) for no less than $7,252

Resolution No. R-973-13

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: December 3, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Declaring as Surplus County-Owned Real Property Located between Perimeter Road and SR 836, Unincorporated Miami-Dade County
Folio No. 30-3035-000-0193

RECOMMENDATION

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

- Declares as surplus a 1,813 square foot County-owned property located between Perimeter Road and SR 836 (Folio No. 30-3035-000-0193)
- Authorizes the private sale to Perimeter Road Management, LLC, the owner of both adjacent properties, for no less than $7,252.

SCOPE

The property is located in County Commission District 6, which is represented by Chairwoman Rebeca Sosa.

FISCAL IMPACT/FUNDING SOURCE

The sale of this property will eliminate approximately $90 in annual maintenance costs and will generate an estimated $135 in annual ad valorem taxes.

TRACK RECORD/MONITOR

Shannon Clark of the Real Estate Development Division in the Internal Services Department is managing the sale of this property.

DELEGATION OF AUTHORITY

Authorizes the County Mayor or the County Mayor's designee to sell the property to the adjacent property owner, take all actions necessary to accomplish the sale of the property, and authorizes the Chairwoman or Vice Chair of the Board to execute a County Deed for such purpose.

BACKGROUND

The County acquired this property via Special Warranty Deed on May 9, 1962. It is a strip of land that measures approximately 5 feet in width by 362 feet in length for a total of 1,813 square feet (see attached sketch). If approved for surplus, the property will be sold to Perimeter Road Management, LLC, the owner of both adjacent properties for no less than $7,252, which is equal to $4 per square foot, and based on the square foot assessed value of the adjacent property.

Florida Statute 125.35(2) states that when the Board finds that a parcel of real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, or when the Board finds that the value of a parcel of real property is $15,000, or less, as determined by a fee appraiser designated by the Board or as determined by the County Property Appraiser, and when, due to the size, shape, location and value of the parcel, it is determined by the Board that the parcel is of use only to one or more adjacent property owners, the Board may effect a private sale of the parcel.

The Internal Services Department circulated this property to all County departments to determine whether the County has a present or future need for the property, in which none was determined. Additionally, the Planning Advisory Board, at their July 1, 2013 meeting, recommended that the property be declared surplus and sold to the adjacent property owner.

Attachment

Edward Marquez
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 3, 2013

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 Mayor'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)
12-3-13

RESOLUTION NO. R-973-13

RESOLUTION DECLARING SURPLUS VACANT COUNTY-OWNED PROPERTY LOCATED BETWEEN PERIMETER ROAD AND STATE ROAD 836; AUTHORIZING A PRIVATE SALE TO PERIMETER ROAD MANAGEMENT, LLC IN ACCORDANCE WITH FLORIDA STATUTE 125.35(2) FOR NO LESS THAN $7,252, AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, pursuant to Florida Statute 125.35(2), the Board finds that the value of the property more fully described in "Exhibit A" (the "Property"), is $15,000 or less, as determined by the County Property Appraiser; and

WHEREAS, the Board finds that due to the size, shape, location and value of the Property, it has been determined by this Board that the Property is of use only to one or more adjacent property owners; and

WHEREAS, based on the foregoing whereas clauses, the Board desires to effect a private sale of the Property; and

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

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to sell the Property described in Exhibit "A", pursuant to Section 125.35(2), Florida Statute, by private sale to Perimeter Road Management, LLC, the owner of both adjacent properties, for no less than $7,252.

Section 3. The Board authorizes the Chairperson or Vice-Chairperson of the Board to execute a County Deed for the purpose described herein, in substantially the form attached hereto, and to take all actions necessary to accomplish the conveyance of such land.

Section 4. Pursuant to Resolution No. R-974-09, the Board directs the County Mayor or the County Mayor's designee to record the instrument of conveyance accepted herein 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 **Lynda Bell**, who moved its adoption. The motion was seconded by Commissioner **Esteban L. Bovo, Jr.** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of December, 2013. 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:
Miami-Dade County Internal Services Department
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

Folio No.: 30-3035-000-0193

COUNTY DEED

THIS DEED, made this day of , 2013 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 NW 1 Street Suite 17-202, Miami, Florida 33128-1963, and _____, party of the second part, whose address is _____, Florida .

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of _____ ($_____.00) and other good and valuable consideration, 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:

A Parcel of land in the SE ¼ of Section 35 Township 53 South Range 40 East, lying and being in Miami Dade County, Florida and being more particularly described as follows:
Commence at the SW corner of the SE ¼ of said Section 35; thence run N 89°51'19"E along the South line of said SE ¼ of said Section 35, for a distance of 1572.09 feet to a point on the original West Right of Way line of a 275 feet wide Florida East Coast Railway Right of Way, thence N 1°28'47" W, along said West right of way line of a 275 feet wide Florida East Coast Railway Right of Way for a distance of 46.72 feet to the Point of Beginning of the hereinafter described Parcel:
Thence continue N 01°28'47" W, for a distance of 362.87 feet along the original West Right of Way line of a 275 feet wide Florida East Coast Railway Right of Way, said line also being a West boundary line of a Miami-Dade County property as conveyed in Official Records Book 3194 at Page 243 of the Public Records of Miami-Dade County, Florida; thence N 68°01'26" E for a distance of 5.34 feet to a point on the East boundary line of a Miami-Dade County property as conveyed in Official Records Book 3194 at Page 243 of the Public Records of Miami-Dade County, Florida; thence S 01°28'47" E for a distance of 362.27 feet along said East boundary line of a Miami-Dade County property as conveyed in Official Records Book 3194 at Page 243 of the Public Records of Miami-Dade County, Florida; thence S 62°17'42" W for a distance of 5.57 feet to the Point of Beginning.
All of the above described parcel, containing 1813 square feet more or less.

This grant conveys only the interest of the County and its Board of County Commissioners

in the land 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

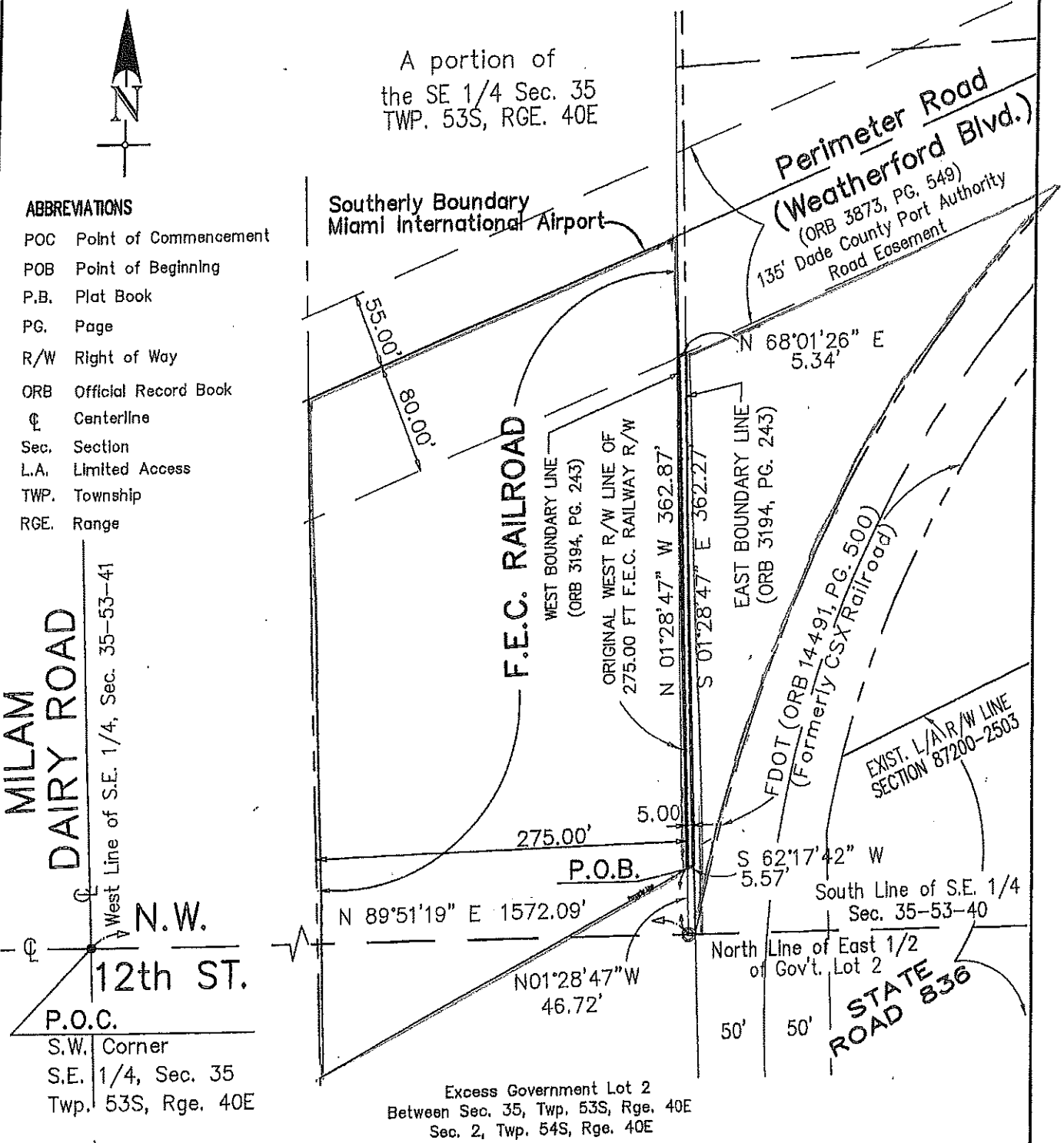
MIAMI-DADE COUNTY
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Rebeca Sosa, Chairwoman

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 , 2013.

SKETCH TO ACCOMPANY LEGAL



ABBREVIATIONS

POC	Point of Commencement
POB	Point of Beginning
P.B.	Plat Book
PG.	Page
R/W	Right of Way
ORB	Official Record Book
℄	Centerline
Sec.	Section
L.A.	Limited Access
TWP.	Township
RGE.	Range

This Description and Sketch are not valid one without the other.

Perimeter Road			TRIANGLE Surveying & Mapping
Sheet 2 of 2	Draw By: JET	Date: 08-07-12	
	Job #: 2533	Scale: 1" = 20'	Sketch No.: 1898-1

8609 NW 66th Street
Miami, Florida, 33166
305.597-9701
LB 7388
www.TRIANGLESM.com

EXHIBIT "A"

LEGAL DESCRIPTION:

A Parcel of land in the SE ¼ of Section 35 Township 53 South Range 40 East, lying and being in Miami Dade County, Florida and being more particularly described as follows:
Commence at the SW corner of the SE ¼ of said Section 35; thence run N 89°51'19"E along the South line of said SE ¼ of said Section 35, for a distance of 1572.09 feet to a point on the original West Right of Way line of a 275 feet wide Florida East Coast Railway Right of Way, thence N 1°28'47" W, along said West right of way line of a 275 feet wide Florida East Coast Railway Right of Way for a distance of 46.72 feet to the Point of Beginning of the hereinafter described Parcel:
Thence continue N 01°28'47" W, for a distance of 362.87 feet along the original West Right of Way line of a 275 feet wide Florida East Coast Railway Right of Way, said line also being a West boundary line of a Miami-Dade County property as conveyed in Official Records Book 3194 at Page 243 of the Public Records of Miami-Dade County, Florida; thence N 68°01'26" E for a distance of 5.34 feet to a point on the East boundary line of a Miami-Dade County property as conveyed in Official Records Book 3194 at Page 243 of the Public Records of Miami-Dade County, Florida; thence S 01°28'47" E for a distance of 362.27 feet along said East boundary line of a Miami-Dade County property as conveyed in Official Records Book 3194 at Page 243 of the Public Records of Miami-Dade County, Florida; thence S 62°17'42" W for a distance of 5.57 feet to the Point of Beginning.
All of the above described parcel, containing 1813 square feet more or less.

Surveyor's Notes:
This is not a Boundary Survey.

The proposed location of the easement was provided by the client.

Bearings shown hereon are based on Florida State Plane Coordinate System East Zone 0901; 1983/1990 adjustment (NAD 83/90)

This Legal Description and Sketch to Accompany Legal are not valid one without the other.

Certification:
I hereby certify that this description and Sketch was made under my responsible charge on August 7th, 2012 and meets the applicable Minimum Technical Standards as set forth by the Board of Professional Surveyors and Mappers in rules 5J-17.051 and 5J-17.052 Florida Administrative Code, pursuant to Chapter 472.027 Florida Statutes.

Triangle Surveying & Mapping, Inc.

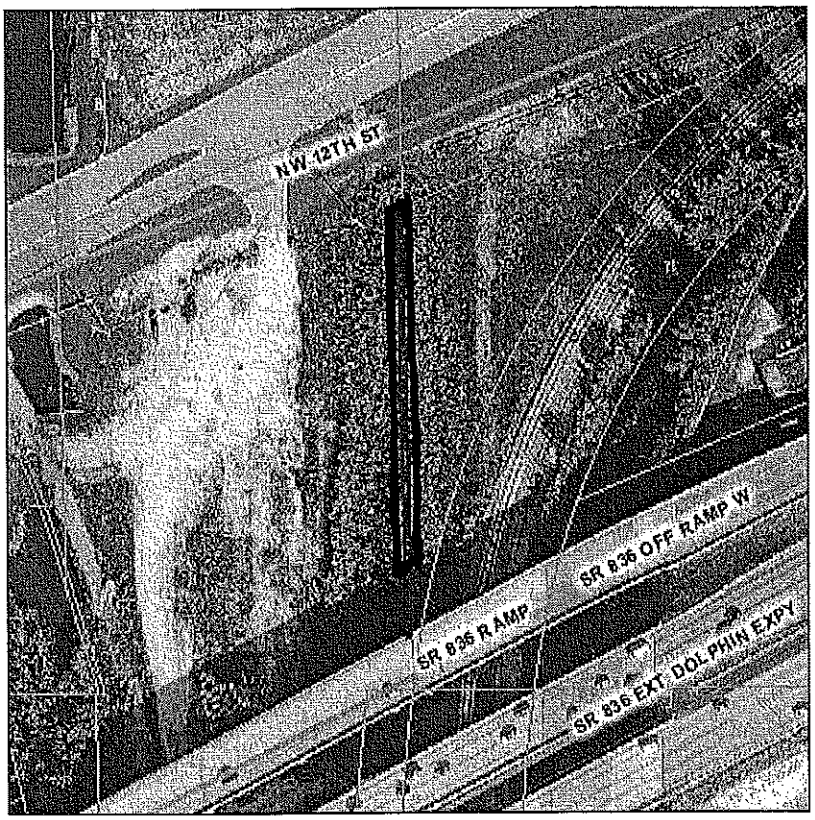
John Liptak
Florida Professional Surveyor and Mapper
License No. 5664

This Description and Sketch were Prepared By
Triangle Surveying & Mapping, Inc.
8609 NW 66 Street - Miami, Florida 33166 p.305.597.9701 f.305.597.9702
(TSM PN 2480 Family Dollar Store)
This Description and Sketch are not valid without the signature and raised seal of a Licensed Florida Surveyor and Mapper.

My Home
Miami-Dade County, Florida

miamidade.gov MIAMI-DADE

Property Information Map



Aerial Photography - 2012 0 69 ft

This map was created on 7/2/2013 2:17:15 PM for reference purposes only.

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Close

Summary Details:

Folio No.:	30-3035-000-0193
Property:	
Mailing Address:	MIAMI DADE COUNTY ISD R/E MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-

Property Information:

Primary Zone:	7300 INDUSTRIAL - HEAVY MFG
CLUC:	0080 VACANT LAND GOVERNMENT
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	1,813 SQ FT
Year Built:	0
Legal Description:	35 53 40 0.04 AC M/L BEG 1572.09FTE & 46.72FTN IN SW COR OF SE1/4 OF SEC 35 CONT N 01 DEG W 362.87FT N 68 DEG E 5.34FT S 01 DEG E 362.27FT S 62 DEG W 5.57FT TO POB

Assessment Information:

Year:	2013
Land Value:	$181
Buliding Value:	$0
Market Value:	$181
Assessed Value:	$181

Taxable Value Information:

Year:	2013
Taxing Authority:	Applied Exemption/ Taxable Value:
Regional:	$181/$0
County:	$181/$0
School Board:	$181/$0

Sale Information:

Sale Date:	5/1962
Sale Amount:	$100
Sale O/R:	03194-0243
Sales Qualification Description:	Sales which are disqualified as a result of examination of the deed
View Additional Sales	