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

MEMORANDUM

Agenda Item No. 11(A)(12)

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

DATE: March 4, 2014

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

SUBJECT: Resolution authorizing the conveyance of one (1) parcel of land at a price of ten dollars ($10.00) to N.W. 79th Street Corridor Community Redevelopment Agency for the purpose of using said property to attract developers to the redevelopment area

Resolution No. R-241-14

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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MEMORANDUM
(Revised)

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

DATE: March 4, 2014

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

SUBJECT: Agenda Item No. 11(A)(12)

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. 11(A)(12)
3-4-14

RESOLUTION NO. R-241-14

RESOLUTION AUTHORIZING THE CONVEYANCE OF ONE (1) PARCEL OF LAND AT A PRICE OF TEN DOLLARS ($10.00) TO N.W. 79TH STREET CORRIDOR COMMUNITY REDEVELOPMENT AGENCY FOR THE PURPOSE OF USING SAID PROPERTY TO ATTRACT DEVELOPERS TO THE REDEVELOPMENT AREA; AUTHORIZING THE CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A COUNTY DEED FOR SAID PURPOSE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL NECESSARY ACTION TO ENFORCE THE PROVISIONS OF THE COUNTY DEED

WHEREAS, the Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified as Part III of Chapter 163, Florida Statutes, as amended from time to time (the "Act"); and

WHEREAS, all powers arising through the Act are conferred by the Act upon counties with Home Rule Charters, which counties in turn are authorized to delegate certain of their powers to a community redevelopment agency created pursuant to the Act; and

WHEREAS, on May 5, 2009 the Board of County Commissioners of Miami-Dade County, Florida (the "Board") adopted Resolution No. R-566-09 which declared a certain geographic area of unincorporated Miami-Dade County known as the N.W. 79th Street Corridor, which is bounded on the North by NW 87th Street, bounded on the South by NW 62nd Street, bounded on the East by NW 7th Avenue, and bounded on the West by NW 37th Avenue ("Redevelopment Area"), to be a slum or blighted area, declared the rehabilitation, conservation or redevelopment, or combination of each to be necessary in the NW 79th Street area in the interest of the public health, safety, morals or welfare of the residents of the Redevelopment Area and the County and found the need for the creation of a community redevelopment agency; and

WHEREAS, the Board on July 19, 2011, enacted Ordinance No. 11-55, which created the N.W. 79th Street Corridor Community Redevelopment Agency (the "Agency"), appointed individuals to be members of the Agency, granted the Agency the power to initiate, prepare, and adopt a redevelopment plan, subject to approval by the Board; and

WHEREAS, the Board and the Agency have approved that certain Interlocal Cooperation Agreement wherein the Board has delegated to the Agency certain powers, including but not limited to (1) acquisition of a slum area or a blighted area or portion thereof; (2) the power to acquire real property in the Redevelopment Area which, under the Plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property; (3) and the power to acquire any other real property in the Redevelopment Area when necessary to eliminate unhealthful, unsanitary or unsafe conditions; lessen density; eliminate obsolete or other uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities; and

WHEREAS, the Agency adopted CRA Resolution No. 1-12, a copy of which is attached hereto as Attachment "A", and is incorporated herein by reference; and

WHEREAS, pursuant to CRA Resolution No. 1-12, the Agency has identified several properties in the Redevelopment Area which are owned by the County and which the Agency desires the County to convey to them; and

WHEREAS, the Agency desires to acquire said properties in order to use them as an incentive to attract large developers interested in creating new jobs in part through the construction of facilities for new retail, office and industrial use; and

WHEREAS, the Agency believes that having site control of the County-owned properties will facilitate identifying and securing private and public funding to develop viable

projects within the next two years while the Agency has no available tax increment financing funds; and

WHEREAS, the County is sympathetic to the needs of the Agency and the Redevelopment Area; and

WHEREAS, there is a vacant parcel of land within the boundaries of the Redevelopment Area, which the County owns and which will meet the needs of the Agency and the Redevelopment Area; and

WHEREAS, the vacant land is located at 997 NW 79 Street, Miami, Florida (Folio No. 30-3111-008-0160), which is more fully described in Attachment "B", which is attached hereto and incorporated by reference ("Property"); and

WHEREAS, this Board is satisfied that the Property can be used by the Agency as an incentive to attract large developers interested in creating new jobs in part through the construction of facilities for new retail, office and industrial use within the Redevelopment Area; and

WHEREAS, the Board finds that the Property is not needed for County purposes; and

WHEREAS, this Board finds that pursuant to Section 125.38, Florida Statutes the conveyance of the Property to the Agency serves the best interest of the County,

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, pursuant to Section 125.38, Florida Statutes, hereby approves the conveyance of one (1) vacant County-owned land, which is legally described in Attachment "B", to the Agency at the price of ten dollars ($10.00). The Property shall be used by the

Agency as an incentive to attract large developers interested in creating new jobs in part through the construction of facilities for new retail, office and industrial use.

Section 3. Upon the conveyance of the Property, the Agency shall maintain said property in accordance with all applicable laws, regulations, ordinances and/or codes.

Section 4. The Board directs the County Mayor or County Mayor's designee to ensure that proper signage is placed on the Property identifying the County's name and the name of the district commissioner.

Section 5. Pursuant to Section 125.411, Florida Statutes, this Board authorizes the Chairperson to execute a County Deed, in substantially the form attached hereto and made a part hereof as Attachment "C".

Section 6. The Board authorizes the County Mayor or County Mayor's designee to take all necessary action to enforce the provisions of the County Deed.

Section 7. The County Mayor or County Mayor's designee, pursuant to Resolution No. R-974-09, shall record in the public record all deeds, covenants, reverters and mortgages creating or reserving a real property interest in favor of the County and shall provide a copy of such recorded instruments to the Clerk of the Board within thirty (30) days of execution and final acceptance. The Board directs the Clerk of the Board, pursuant to Resolution No. R-974-09, to attach and permanently store a recorded copy of any instrument provided in accordance herewith together with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monsetime. It was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of March, 2014. 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

ATTACHMENT A

RESOLUTION NO. 1-12

RESOLUTION URGING MIAMI-DADE BOARD OF COUNTY COMMISSIONERS TO CONVEY CERTAIN COUNTY OWNED PROPERTIES TO THE N.W. 79TH STREET CORRIDOR COMMUNITY REDEVELOPMENT AGENCY

WHEREAS, pursuant to Florida Statutes, Chapter 163, Part III, the Board of County Commissioners of Miami-Dade County, Florida (the "Board") on May 5, 2009 adopted Resolution No. R-566-09 which declared a certain geographic area of unincorporated Miami-Dade County known as the N.W. 79th Street Corridor, which is bounded on the North by NW 87th Street, bounded on the South by NW 62nd Street, bounded on the East by NW 7th Avenue, and bounded on the West by NW 37th Avenue to be a slum or blighted area, declared the rehabilitation, conservation or redevelopment, or combination of each to be necessary in the NW 79th Street area in the interest of the public health, safety, morals or welfare of the residents of the Redevelopment Area and the County and found the need for the creation of a community redevelopment agency; and

WHEREAS, the Board, pursuant to Ordinance No. 11-55 enacted on July 19, 2011, created the N.W. 79th Street Corridor Community Redevelopment Agency (the "Agency"), appointed individuals to be members of the Agency, granted the Agency the power to initiate, prepare, and adopt a redevelopment plan, subject to approval by the Board; and

WHEREAS, the Board and the Agency have approved that certain Interlocal Cooperation Agreement wherein the Board has delegated to the Agency certain powers, including but not limited to (1) acquisition of a slum area or a blighted area or portion thereof; (2) the power to acquire real property in the Redevelopment Area which, under the Plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the

structures for guidance purposes, and resale of the property; (3) and the power to acquire any other real property in the Redevelopment Area when necessary to eliminate unhealthful, unsanitary or unsafe conditions; lessen density; eliminate obsolete or other uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities; and

WHEREAS, the Agency desires to exercise its powers to acquire real property within the Redevelopment Area; and

WHEREAS, the Agency has identified several properties in the Redevelopment Area which are owned by Miami-Dade County, including but not limited to the Poinciana Industrial Center, County property fronting NW 79th Street Corridor; County property in the vicinity of the N.W. 79th Street Transit oriented Development, and County property located in the Greater 18th Avenue Revitalization Area ("County Properties"); and

WHEREAS, the Agency desires to acquire the County Properties pursuant to Section 125.38 of the Florida Statutes in order to use them as an incentive to attract large developers interested in creating new jobs in part through the construction of facilities for new retail, office and industrial use; and

WHEREAS, the Agency finds that having site control of the County Properties will facilitate identifying and securing private and public funding to develop viable projects within the next two years while the Agency has no available tax increment financing funds,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE N.W. 79TH STREET COMMUNITY REDEVELOPMENT AGENCY, that:

Section 1. The matters contained in the foregoing recitals are incorporated in this resolution by reference.

Section 2. The Agency urges the Board to adopt a resolution conveying the Poinciana Industrial Center, County property fronting NW 79th Street Corridor; County property in the vicinity of the N.W. 79th Street Transit oriented Development, and County property located in the Greater 18th Avenue Revitalization Area to the Agency pursuant to section 125.38 of the Florida Statutes.

Section 3. The Agency directs the Agency's staff to provide copies of this resolution to the County Commissioners for Districts 2 and 3.

The Prime Sponsor of the foregoing resolution is Chairwoman **Doretha Nichson**. It was offered by Commissioner **Oliver Gross**, who moved its adoption. The motion was seconded by Commissioner **Ron Butler** and upon being put to a vote, the vote was as follows:

Doretha Nichson, Chairwoman **aye**
Yolly Roberson, Vice Chairwoman **absent**

Amy Lee	**aye**	Gabriel Salazar, AIA	**aye**
Oliver Gross	**aye**	Esther Johnson	**absent**
Ron Butler	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of April, 2012.

N.W. 79TH STREET COMMUNITY
REDEVELOPMENT AGENCY
BY ITS BOARD OF COMMISSIONERS

By: _____
Secretary

Approved by County Attorney as
to form and legal sufficiency.

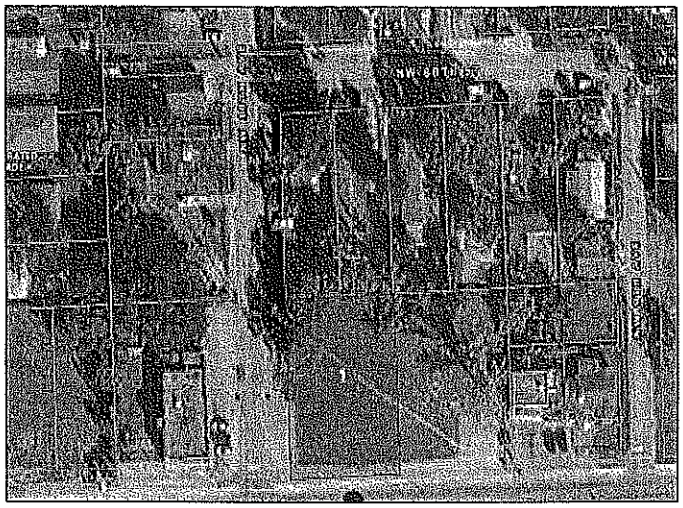
Terrence A. Smith

ATTACHMENT B

MIAMI-DADE COUNTY
OFFICE OF THE PROPERTY APPRAISER
PROPERTY SEARCH SUMMARY REPORT

Carlos Lopez-Cantera
Property Appraiser

Property Information:	
Folio	30-3111-008-0160
Property Address	997 NW 79 ST
Owner Name(s)	MIAMI-DADE COUNTY GSA R/E MGMT
Mailing Address	111 NW 1 ST STE 2460 MIAMI FL 33128-1929
Primary Zone	6400 COMMERCIAL - CENTRAL
Use Code	0047 DADE COUNTY
Beds/Baths/Half	0/0/0
Floors	0
Living Units	0
Adj. Sq. Footage	0
Lot Size	13,750 SQ FT
Year Built	0
Legal Description	LITTLE RIVER FRUIT LANDS 1ST ADD PB 11-62 LOT 7 & LOT 8 BLK 6 LOT SIZE 13750 SQUARE FEET OR 20382-4608 0402 3 OR 13842-1705 0988 02



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Aerial Photography 2012

Assessment Information:

	Current	Previous
Year	2012	2011
Land Value	$130,625	$137,500
Building Value	$1,921	$1,924
Market Value	$132,546	$139,424
Assessed Value	$132,546	$139,424

Exemption Information:

	Current	Previous
Year	2012	2011
Homestead	$0	$0
2nd Homestead	$0	$0
Senior	$0	$0
Veteran Disability	$0	
Civilian Disability	$0	$0
Widow(er)	$0	$0

Taxable Value Information:

	Current	Previous
Year	2012	2011
	Exemption/Taxable	Exemption/Taxable
County	$132,546 / $0	$139,424 / $0
School Board	$132,546 / $0	$139,424 / $0
City	$0 / $0	$0 / $0
Regional	$132,546 / $0	$139,424 / $0

Sale Information:

Date	Amount	Recording Book-Page	Qualification Code
9/1988	$110,000	13842-1705	Deeds which include more than one parcel
2/1985	$136,000	12419-0213	Deeds which include more than one parcel

Disclaimer:

The Office of the Property Appraiser and Miami-Dade County are continually editing and updating the tax roll and GIS data to reflect the latest property information and GIS positional accuracy. No warranties, expressed or implied, are provided for data and the positional or thematic accuracy of the data herein, its use, or its interpretation. Although this website is periodically updated, this information may not reflect the data currently on file at Miami-Dade County's systems of record. The Property Appraiser and Miami-Dade County assumes no liability either for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any information provided herein. See Miami-Dade County full disclaimer and User Agreement at http://www.miamidade.gov/info/disclaimer.asp.

Property Information inquiries, comments, and suggestions email: pawebmail@miamidade.gov
GIS inquiries, comments, and suggestions email: gis@miamidade.gov

Generated on: Tuesday, February 26, 2013

ATTACHMENT C

Instrument prepared under the direction of
Terrence A. Smith, Assistant County Attorney:
111 N.W. 1 Street, Suite 2810
Miami, Florida 33128-1907

Folio: 30-3111-008-0160

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 N.W. 1 Street, Miami, Florida 33128-1963, and the **N.W. 79TH STREET CORRIDOR COMMUNITY REDEVELOPMENT AGENCY,** whose address is Stephen P. Clark Center, 111 N.W. 1 Street, 22nd Floor, Miami, Florida 33128-1963, party of the second part, whose address is.

WITNESSETH:

That the said party of the first part, for and in consideration in the sum of TEN DOLLARS ($10.00) and in accordance with Florida Statute 125.38 has granted, bargained, and conveyed as is, to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

LEGAL DESCRIPTION

LOT 7 & LOT 8 BLK 6 LITTLE RIVER FRUIT LANDS 1ST ADD PB 11-62

("Property").

The Party of the Second Part shall use the Property as an incentive to attract large developers interested in creating new jobs in part through the construction of facilities for new retail, office and industrial use within the Redevelopment Area. The Party of the Second Part shall facilitate the commencement of work by the selected developer within two (2) years of the conveyance of the Property.

Upon failure of the Party of the Second Part to abide by the restrictions contained herein, the Party of the First Part shall provide the Party of the Second Part with written notice of the alleged violations including a statement "The County will exercise its reversionary interest in the property if the violation is not cured." Within 45 days of receipt of the notice, the Party of the Second Part shall cure the violation. If the violation is of a type that cannot be cured within this time period, the Party of the Second Part shall notify the Party of the First Part in writing specifying the reason and the additional time required to cure the violation. However, in no event shall the time to cure exceed 90 days, unless such time period is extended by action of the County Commission. Failure of the Party of the Second Part to comply with all of the terms of this paragraph, after thirty days written notice, shall cause the title to automatically revert to Miami-Dade County.

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 of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:	MIAMI-DADE COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS
HARVEY RUVIN, CLERK	
By: _____ Deputy Clerk	By: _____ Rebeca Sosa, Chairperson

Approved for legal sufficiency: _____

The foregoing was authorized and approved by Resolution No. R-_____ of the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 2013.