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

MEMORANDUM

Agenda Item No. 8(M)(1)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	May 6, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution accepting a deed in donation of approximately 0.14 acres of real property within the Miami Rockridge Pinelands Project from Odile M. Ogonowski to the Miami-Dade County Environmentally Endangered Lands Program; authorizing the payment of transaction fees not to exceed $3,000 Resolution No. R-427-14

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

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: May 6, 2014

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Accepting a Deed in Donation of Approximately 0.14 Acres of Real Property within the Miami Rockridge Pinelands Project from Odile M. Ogonowski to the Miami-Dade County Environmentally Endangered Lands Program

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Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution accepting a deed in donation of approximately 0.14 acres of pine rockland (see Attachment A) to the Miami-Dade County Environmentally Endangered Lands (EEL) Program. The resolution also authorizes the expenditure of up to $3,000 in transaction costs and thanks Odile M. Ogonowski for their generous donation and transfer of the deed (see Attachment B) of real property with a 2013 tax assessed value of $7,000.

Scope

The EEL Program is countywide in nature. This acquisition is located in Commission District 9 (Commissioner Moss).

Fiscal Impact/Funding Source

The acceptance of this donation would have a fiscal impact of only the transaction costs of up to $3,000. Land with a 2013 tax assessed value of $7,000.00 is being acquired via donation. As of February 28, 2014, the balance of the EEL Trust Fund GF080 is $46,268,058.90, of which $22,616,972.36 is reserved for acquisition and $23,651,086.36 is reserved for management.

Track Record / Monitor

Cynthia Guerra, the EEL Program Manager within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, will monitor this contract.

Background

The historic loss, fragmentation and degradation of native wetland and forest communities in Miami-Dade County are well recognized. In May of 1990, with the knowledge that remaining wetland and forest communities were endangered, the electorate of Miami-Dade County authorized the County to levy an ad valorem tax for two years to create the EEL Program and Trust Fund. The purpose of the EEL program is to acquire, preserve, enhance, restore, conserve and maintain environmentally-endangered lands for the benefit of present and future generations. The County, in partnership with the South Florida Water Management District, the State of Florida, and other funding partners, has acquired approximately 21,504 acres of land throughout Miami-Dade County since inception of the EEL Program.

The parcel proposed for donation is within the Miami Rockridge Pinelands Project, Navy Wells #23 EEL Preserve, which was placed on the EEL Priority A Acquisition List by Resolution No. R-518-93, as approved by the Board on May 18, 1993. The Navy Wells #23 EEL Preserve is characterized by tropical hardwood hammock and pine rocklands. Acquisition of this parcel will buffer and facilitate protection of the resources within the existing EEL Preserve.

Ms. Odile M. Ogonowski is willing to donate her 0.14 acre parcel to be part of the Navy Wells #23 EEL Preserve. This parcel is located south of SW 352 Street and east of SW 182 Avenue, and has a 2013 tax assessed value of $7,000.

DONOR:	Odile M. Ogonowski
SIZE:	Approximately 0.14 acres
FOLIO:	30-7825-002-0130
LOCATION:	South of SW 352 Street and east of SW 182 Avenue, located inside the Urban Development Boundary (see Attachment A)
PURCHASE PRICE:	$0
ASSESSED VALUE:	$7,000 (2013 tax assessed value)

The above listed owner is not a partnership or corporation.

Jack Osterholt, Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: May 6, 2014

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

SUBJECT: Agenda Item No. 8(M)(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(M)(1)
5-6-14

RESOLUTION NO. R-427-14

RESOLUTION ACCEPTING A DEED IN DONATION OF APPROXIMATELY 0.14 ACRES OF REAL PROPERTY WITHIN THE MIAMI ROCKRIDGE PINELANDS PROJECT FROM ODILE M. OGONOWSKI TO THE MIAMI-DADE COUNTY ENVIRONMENTALLY ENDANGERED LANDS PROGRAM; AUTHORIZING THE PAYMENT OF TRANSACTION FEES NOT TO EXCEED $3,000; THANKING ODILE M. OGONOWSKI FOR SAID DONATION; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONTAINED THEREIN

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

WHEREAS, this Board desires to accomplish the purposes of Section 24-50 of the Code of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby accepts a deed in donation of approximately 0.14 acres of pineland within the Miami Rockridge Pinelands Project from Odile M. Ogonowski to the Miami-Dade County Environmentally Endangered Lands Program in substantially the form attached hereto and made a part hereof; authorizes the payment of transaction fees not to exceed $3,000; extends thanks to Odile M. Ogonowski for her generous donation of land; authorizes the Mayor or Mayor's designee to execute the provisions contained therein; and pursuant to Resolution No. R-974-09 (a) directs the Mayor or Mayor's designee to provide a recorded copy of any instrument prepared in accordance herewith to the Clerk of the Board within thirty days of execution and final acceptance; and, (b) direct the Clerk of the Board to attach and permanently store a recorded copy of any instrument provided in accordance herewith together with the authorizing resolution.

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

Rebeca Sosa, Chairwoman			**aye**
Lynda Bell, Vice Chair			**aye**
Bruno A. Barreiro	**absent**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	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 6th day of May, 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

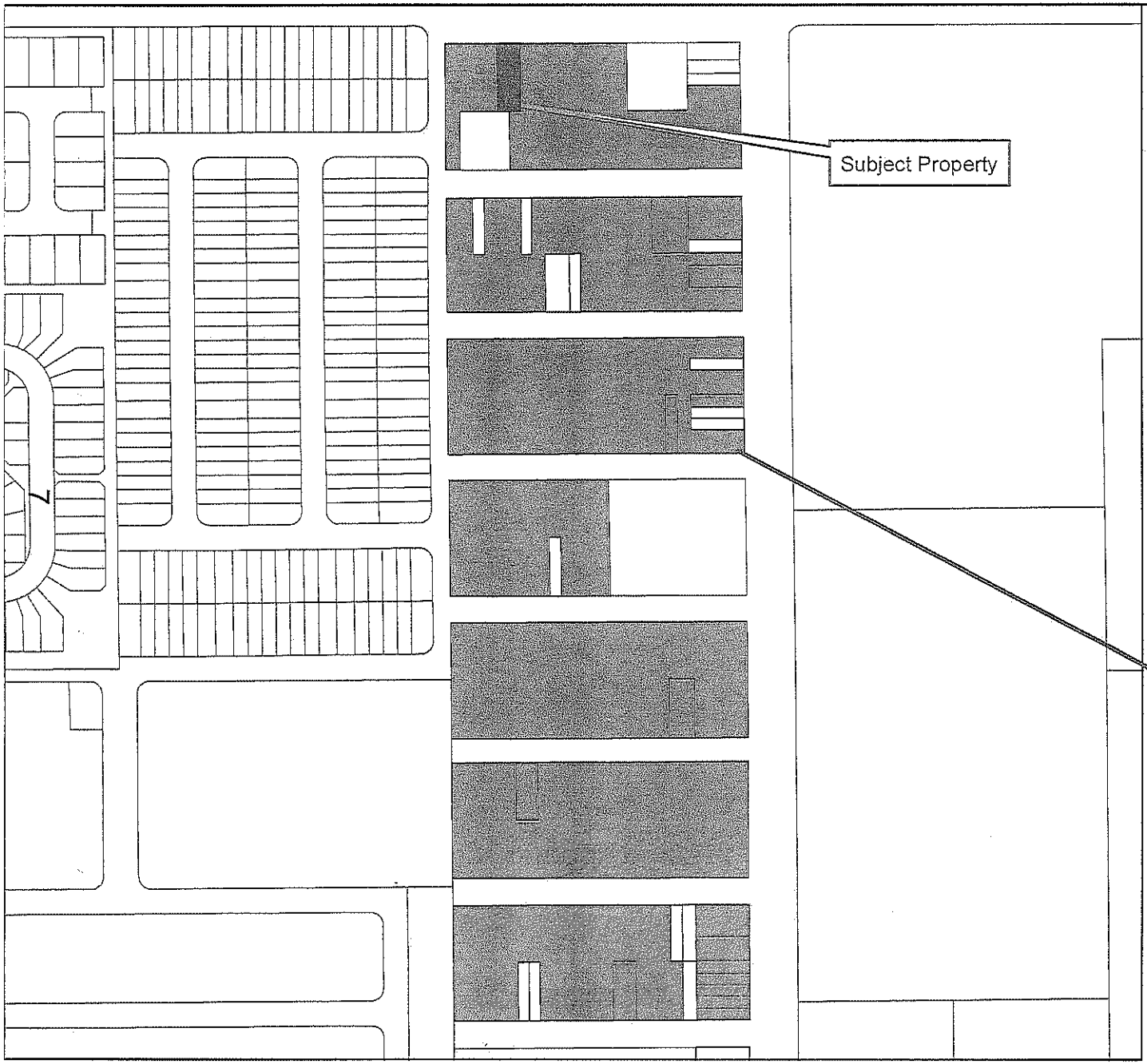
By: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas H. Robertson

MIAMI ROCKRIDGE PINELANDS PROJECT

Navy Wells #23 (Ogonowski) Property



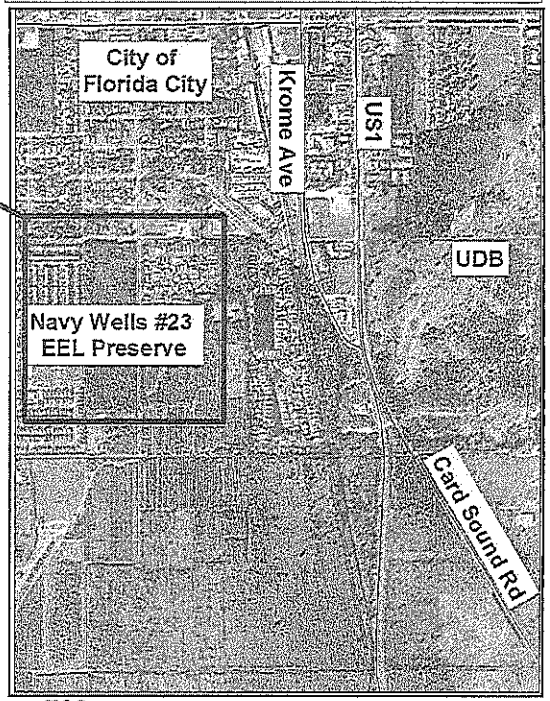
Environmentally Endangered Lands Program

Parcel Information:
Folio # 30-7825-002-0130

Legend

- Project Parcel
- Navy Wells #23 EEL Preserve
- Section Boundaries

N



ATTACHMENT A

0 190 380 760 Feet

P:/EEL/EEL GIS Projects/BCC maps/other than sdw/navywells23_ogonowski.mxd

ATTACHMENT B

Prepared by:
Return to:
J. Vidal
Miami-Dade County
Public Works Department
111 NW 1 Street, Ste 1610
Miami, FL 33128-1970

Folio Nos. 30-7825-002-0130

User Dept. : EEL/DERM

EEL Program
Section 10-56-40

WARRANTY DEED

THIS INDENTURE, made this 10th day of March, 2014, between **Odile M. Ogonowski as executrix of the estate of Marie Odile Lucchese, Bucks County, PA Register of Wills File No.: 09-11-0880, whose post office address is 201-B River Road, Washington Crossing, PA 18977** (Grantor), in consideration of the sum of TEN DOLLARS ($10.00) and other valuable consideration, received from MIAMI-DADE COUNTY, a political subdivision of the State of Florida, by and through its Environmentally Endangered Lands Program (EEL), and its successors in interest, (Grantee) whose post office address is ATTN: DERM - EEL USER, 701 NW 1st. Court, 4th Floor Miami, Florida 33136, of the County of Miami-Dade, State of Florida, the receipt whereof is hereby acknowledged, have granted, bargained, and sold to the said Grantee, and Grantee's successors and assigns forever, the following described lands, situate, lying and being in Miami-Dade County, Florida, to-wit (the "Premises"):

> **Lots 35 & 36, Block 1 according to plat thereof as recorded in Plat Book 14, page 50, Public Records of Miami-Dade County, Florida.**

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

THIS CONVEYANCE includes, without limitation, all of the following rights owned by the Grantor, if any, all timber rights and water rights; all mineral rights and gas rights except those previously reserved, transferred or severed by third parties; all Grantor's rights, title and interest in roads, streams, canals, ditches and other water bodies located on the Premises or which may provide access to the Premises; all riparian rights; and all Grantor's rights, title and interest in alleys, roads, streets and easements included within the Premises, or which may provide access to the Premises.

SUBJECT TO: Easements, dedications and restrictions of record, if any, but any such interests that may have been terminated are not hereby reimposed and subject to applicable zoning ordinances, taxes and assessments.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenant with the Grantee that the Grantor are lawfully seized of said lands in fee simple; that the Grantor have good right and lawful authority to sell and convey said lands; that the Grantor hereby fully warrant the title to said lands and will defend the same against the lawful claims of all persons whomsoever; and that said lands are free of all encumbrances.

GRANTOR hereby warrants that the premises or subject property is not the Constitutional Homestead of the Grantor, as the Grantor does not reside on the Premises or subject property or any portion contiguous therewith as their permanent residence or homestead, but in fact the property is vacant land.

IN WITNESS WHEREOF, the grantor has hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered
in the presence of:

x Natalie Bane
Witness
Print Name: Natalie Bane

x
Witness
Print Name: Debora Joswick

Odile M. Ogonowski, Exe
Odile M. Ogonowski, as executrix of the estate of Marie Odile Lucchese, Bucks County, PA Register of Wills File No.: 09-11-0880

STATE OF PA
COUNTY OF Bucks

I HEREBY CERTIFY, that on this 10th day of March, 2014, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Odile M. Ogonowski, as executrix of the estate of Marie Odile Lucchese, Bucks County, PA Register of Wills File No.: 09-11-0880** personally known to me, or proven by producing the following identification: _____ to be the person who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

NOTARY SEAL/STAMP

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
DAVID R. BANE, Notary Public
Lower Makefield Twp., Bucks County
My Commission Expires September 7, 2015

Notary Signature
Print Name: David Bane
Notary Public, State of PA
My commission expires: 9/7/2015
Commission/Serial No. 1006-249

THE FOREGOING was approved pursuant to Resolution No. R-_____ by the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 20__ for the receipt in donation and management of the properties by the Environmentally Endangered Lands Program (EEL) and its successors and assigned