OFFICIAL FILE COPY
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: June 3, 2014

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

SUBJECT: Resolution declaring surplus vacant County-owned property located in the vicinity of W. 72 Street and W. 18 Lane Hialeah, Florida; authorizing a sale to an adjacent property owner in accordance with Florida Statute 125.35(2) for no less than $28,554

Resolution No. R-498-14

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2014

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 in the Vicinity of W. 72 Street and W. 18 Lane, Hialeah, Florida (Folio No. 04-2026-001-0540)

Recommendation

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

- Declares as surplus a 4,759 square foot vacant strip of County-owned property, located in the vicinity of W. 72 Street and W. 18 Lane, Hialeah, Florida (Folio No. 04-2026-001-0540);
- Authorizes the County Mayor or County Mayor's designee to sell or convey the property in accordance with Florida Statute 125.35(2), which provides for the sale of County property that is not buildable to an adjacent property owner, either through private sale or by competitive bid; and
- Waives Administrative Order 8-4 as it relates to review by the Planning Advisory Board.

Scope

The property is located in Commission District 12, which is represented by Commissioner Jose "Pepe" Diaz.

Fiscal Impact/Funding Source

The sale of this property will eliminate the County's obligation to maintain the property, which costs approximately $396 per year. Additionally, placing this property back on the tax roll will generate approximately $579 in annual ad valorem taxes.

Track Record/Monitoring

Carmen Gomez of 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 to one of the adjacent property owners, take all actions necessary to accomplish the sale of the property, and authorizes the Chairwoman or Vice-Chairperson of the Board to execute a County Deed for such purpose.

Background

The County acquired this property through Tax Deed escheatment on April 9, 2004. RC Flamingo LLC, an adjacent property owner, has expressed interest in purchasing this property. Per the requirements of R-1161-79, Mr. Daniel P. Cook, Manager of RC Flamingo LLC, has submitted a deposit to start the surplus process. The Internal Services Department circulated the property to all County departments and the City of Hialeah to determine whether the County or the City have a present or future need for the property, in which none was determined.

Staff has determined that the parcel is of insufficient size and shape to be issued a building permit for any type of development on the property. The property is a 30 foot by 194 foot strip of land that is not

accessible from a public street. If approved for surplus, the property will be offered for sale to all of the adjacent property owners with a minimum sale amount of $28,554, which represents 100 percent of its 2013 assessed value. Formal appraisals are not normally requested for properties with an assessed value of less than $50,000.

Attachments

Edward Marquez
Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: June 3, 2014

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)
6-3-14

RESOLUTION NO. R-498-14

RESOLUTION DECLARING SURPLUS VACANT COUNTY-OWNED PROPERTY LOCATED IN THE VICINITY OF W. 72 STREET AND W. 18 LANE HIALEAH, FLORIDA; AUTHORIZING A SALE TO AN ADJACENT PROPERTY OWNER IN ACCORDANCE WITH FLORIDA STATUTE 125.35(2) FOR NO LESS THAN $28,554; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO THE PLANNING ADVISORY BOARD; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, pursuant to Florida Statute Section 125.35(2), the Board finds that due to the size, shape, and location of the Property, as legally described in the attached County Deed, it has been determined by this Board that the Property is of use only to one or more adjacent property owners; and

WHEREAS, the Board desires to effectuate a sale of the Property pursuant to Florida Statute Section 125.35(2) to one of the adjacent property owners; and

WHEREAS, the 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, pursuant to Florida Statute Section 125.35(2), by private sale to an adjacent property owner, or through a competitive bidding process if two or more owners of the adjacent property give notice of their desire to purchase the Property, for no less than $28,554.

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 authorizes the County Mayor or the County Mayor's designee to take all actions necessary to accomplish the conveyance of the Property.

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 **José "Pepe" Diaz** 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	**absent**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 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 as
to form and legal sufficiency. for DH

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.: 04-2026-001-0540

COUNTY DEED

THIS DEED, made this day of , 2014 A.D. by MIAMI-DADE COUNTY, 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 _____.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of _____ to it in hand paid by the parties 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:

E30FT OF N194.28FT OF TR 16 LESS PORT LYG IN PB 94-71 SUB OF PB 2-68 SECTION 26 TOWNSHIP 52 SOUTH RANGE 40 EAST, according to the Public Records of Miami-Dade County, Florida

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
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Rebeca Sosa, Chairwoman

Approved for legal sufficiency. _____

The foregoing was authorized by Resolution No. _____ approved by the Board of County Commissioners of Miami-Dade County, Florida, on the _____, 2014.

CFN 2004R0256545
OR Bk 22207 Pg 3405; (1pg)
RECORDED 04/13/2004 10:27:47
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA
LAST PAGE

Tax Deed File Number 96-887
Property Identification No. 04-2026-001-0540

E S C H E A T M E N T
T A X D E E D
TO MIAMI-DADE COUNTY

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

This Tax Deed is issued pursuant to Section 197.502(8), Florida Statutes, wherein three years have passed from the day the subject land was offered for public sale and placed on the list of "lands available for taxes" in accordance with Section 197.502(7), Florida Statutes, without having been purchased. As provided in Section 197.502(8), Florida Statutes, the property hereby escheats to the County free and clear of any and all tax certificates, tax liens or any other liens of record, including governmental liens, which liens are hereby deemed canceled pursuant to said statute.

On this 9 day of April 20 04 the undersigned Clerk conveys to Miami-Dade County through its Board of County Commissioners, whose address is:

111 NW 1st Street
Miami, Florida 33128

together with all hereditaments, buildings, fixtures and improvements of any kind and description, the following legally described land situate in Miami-Dade County, Florida:

E30FT OF N194.28FT OF TR 16 LESS PORT LYG IN PB 94-71 SUB OF PB 2-68 LOT SIZE 5828 SQUARE FEET SECTION 26 TOWNSHIP 52 SOUTH RANGE 40 EAST CONTAINING .11 AC M/L

Witnessed by:

BEATRIZ BLANCO

LAURETTE JACQUES

HARVEY RUVIN
Clerk of the Circuit Court
Miami-Dade County, Florida

BY: Shirley Shabazz
DEPUTY CLERK

CIRCUIT AND COUNTY COURTS CLERK IN GOD WE TRUST DADE COUNTY, FLORIDA

BEFORE ME, the undersigned notary public, personally appeared Shirley Shabazz, Deputy Clerk of the Circuit Court in and for Miami-Dade County, Florida, who is personally known to me and who acknowledged the execution of this instrument to be of her own free act and deed for the uses and purposes therein mentioned.

SWORN TO AND SUBSCRIBED BEFORE ME ON April 9, 2004

Notary Public, State of Florida, At Large
My Commission Expires:

ELIZABETH LE SUEUR
MY COMMISSION # DD 240505
EXPIRES: August 11, 2007
Bonded Thru Notary Public Underwriters

This instrument prepared by

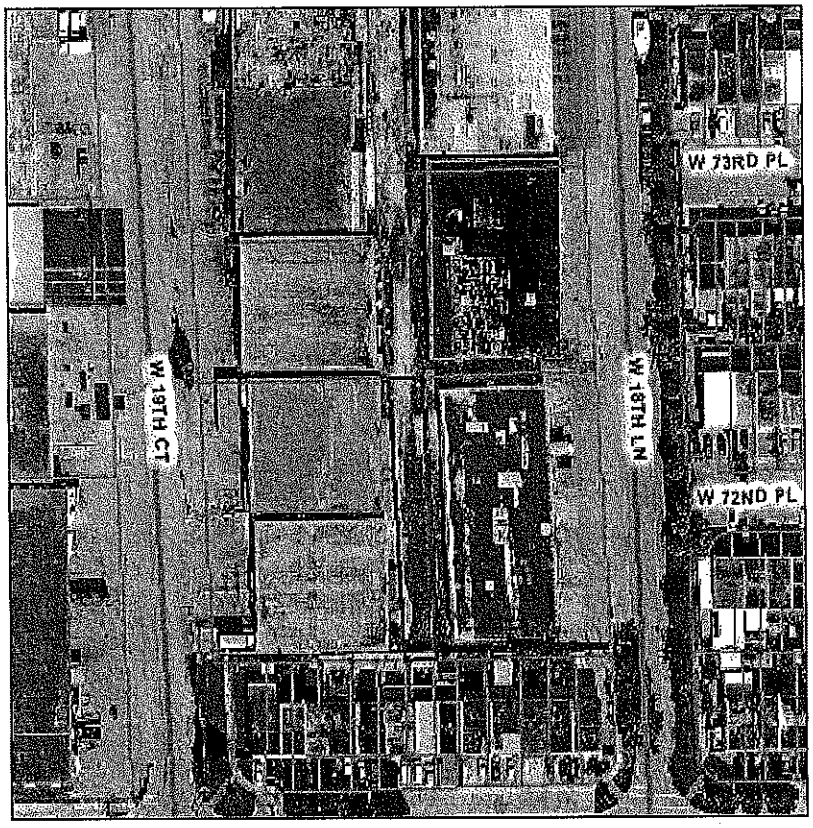
Debra Peterson
Deputy Clerk of the Circuit Court of
Miami-Dade County, Florida

My Home
Miami-Dade County, Florida

miamidade.gov

MIAMI-DADE

Property Information Map



Aerial Photography - 2012 0 — 61 ft

This map was created on 10/16/2013 3:25:49 PM for reference purposes only.

Web Site © 2002 Miami-Dade County. All rights reserved.

Close

Summary Details:

Folio No.:	04-2026-001-0540
Property:	
Mailing Address:	MIAMI-DADE COUNTY GSA R/E MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-1929

Property Information:

Primary Zone:	7100 INDUSTRIAL - LIGHT MFG
CLUC:	0080 VACANT LAND GOVERNMENT
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	4,759 SQ FT
Year Built:	0
Legal Description:	26 52 40 .11 AC M/L SUB OF PB 2-68 E30FT OF N194.28FT OF TR 16 LESS PORT LYG IN PB 94-71 LOT SIZE 5828 SQUARE FEET OR 22207-3405 0404 3

Assessment Information:

Year:	2013	2012
Land Value:	$28,554	$28,554
Building Value:	$0	$0
Market Value:	$28,554	$28,554
Assessed Value:	$28,554	$28,554

Taxable Value Information:

Year:	2013	2012
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$28,554/$0	$28,554/$0
County:	$28,554/$0	$28,554/$0
City:	$28,554/$0	$28,554/$0
School Board:	$28,554/$0	$28,554/$0

Sale Information:

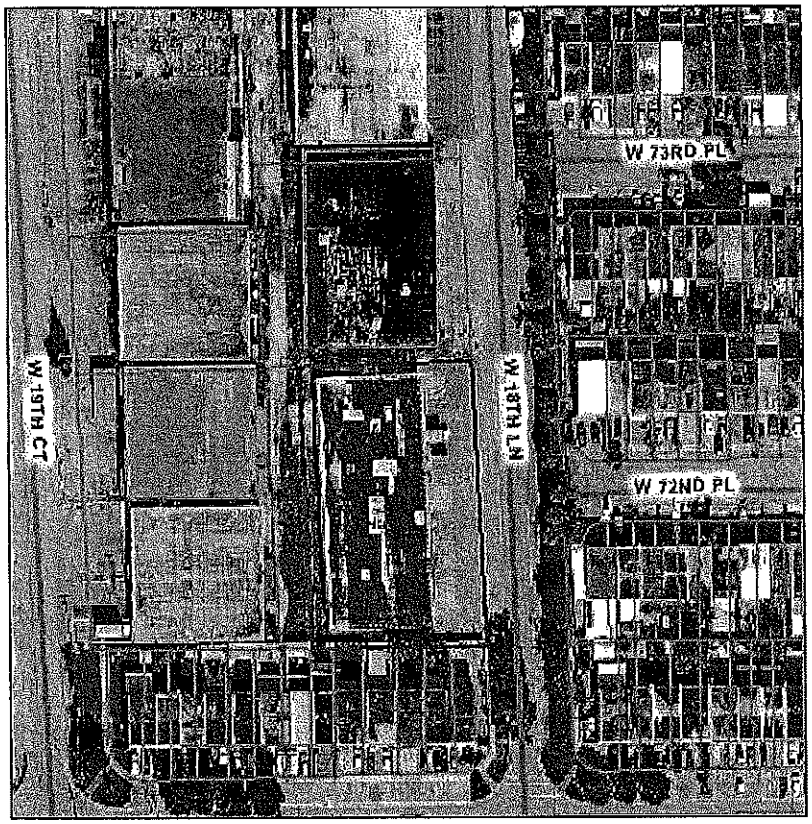
Sale Date:	3/1990
Sale Amount:	$0
Sale O/R:	00000-0000
Sales Qualification Description:	Sales which are disqualified as a result of examination of the deed
View Additional Sales	

My Home
Miami-Dade County, Florida

miamidade.gov

MIAMI-DADE

Property Information Map



Aerial Photography - 2012 0 61 ft

This map was created on 10/16/2013 3:26:50 PM for reference purposes only.

Web Site © 2002 Miami-Dade County. All rights reserved.

Close

Summary Details:

Folio No.:	04-2026-038-0010
Property:	7290 W 18 LN
Mailing Address:	RC FLAMINGO LLC 1501 VENERA AVE STE 300 CORAL GABLES FL 33146-3032

Property Information:

Primary Zone:	7100 INDUSTRIAL - LIGHT MFG
CLUC:	0037 WAREHOUSE OR STORAGE
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	15,120
Lot Size:	27,836 SQ FT
Year Built:	1972
Legal Description:	26 52 40 0.639 AC M/L FLAMINGO WAY TRACT PB 94-71 TRACT A COC 26269-3293 26303-4914 0308 1 OR 26269-3293 0308 00

Assessment Information:

Year:	2013	2012
Land Value:	$306,196	$306,196
Building Value:	$305,208	$363,551
Market Value:	$611,404	$669,747
Assessed Value:	$611,404	$632,500

Taxable Value Information:

Year:	2013	2012
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$0/$611,404	$0/$632,500
County:	$0/$611,404	$0/$632,500
City:	$0/$611,404	$0/$632,500
School Board:	$0/$611,404	$0/$669,747

Sale Information:

Sale Date:	3/2008
Sale Amount:	$900,000
Sale O/R:	26269-3293
Sales Qualification Description:	Sales which are qualified
View Additional Sales	