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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 Jean Monestime and Members, Board of County Commissioners

DATE: October 6, 2015

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

SUBJECT: Resolution declaring surplus County-owned Real Property located in the vicinity of SW 256 Street and SW 192 Avenue, Unincorporated Miami-Dade County, Florida (Folio No. 30-6826-000-0280); authorizing the private sale of said property to the adjacent property owner for $15,000.00 in accordance with Florida Statutes 125.35(2); authorizing the County Mayor to take all actions necessary to accomplish the sale of said property; and authorizing the Chairperson or Vice Chairperson of the Board to execute a County Deed for such purpose

Resolution No. R-829-15

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

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

Date: October 6, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Declaring as Surplus County-Owned Real Property Located in the Vicinity of SW 256 Street and SW 192 Avenue, Miami, Florida
Folio No. 30-6826-000-0280

Recommendation

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

- Declares as surplus a vacant 21,780 square foot County-owned property located in the vicinity of SW 256 Street and SW 192 Avenue, Miami, Florida (Folio No. 30-6826-000-0280), as shown in the attached property map Summary Report (Attachment 1 to the transmittal memorandum); and
- Authorizes the sale by the County Mayor or the County Mayor's designee of the subject property, in accordance with Florida Statutes 125.35(2), to Ms. Lesli Ann Burkhead, owner of the adjacent property on both sides of the subject property as shown in the attached property map Summary Report (Attachment 2 to the transmittal memorandum) for $15,000, which is the property's current assessed market value according to the Office of the Property Appraiser.

Scope

The property is located in Commission District 8, which is represented by Commissioner Daniella Levine Cava.

Fiscal Impact/Funding Source

The sale of the property will eliminate the County's obligation to maintain the property, which costs approximately $1,440 per year. Additionally, approval will place the property back on the tax roll, generating approximately $280 in annual ad valorem taxes.

Track Record/Monitor

Barry Kent 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 Chairperson or Vice Chairperson of the Board to execute a County Deed (Attachment A to the resolution) for such purpose.

Background

The County acquired this property through a warranty deed recorded on November 13, 1912. This property was one of many "rock pits" acquired by the County in the early 1900s for fill material to build County roads. According to County records, this rock pit was partially excavated. However, after Hurricane Andrew in 1992, the property was filled with trees and other vegetation that had been knocked down by the hurricane, rendering the property level.

Ms. Burkhead, owner of the adjacent property located at 19205 SW 256 Street, has expressed interest in purchasing the property. Per the requirements of Resolution No. R-1161-79, Ms. Burkhead has submitted a deposit to start the surplus process. The Internal Services Department circulated this property to all County departments and Board members to determine whether the County has a present or future need for the property. None was determined. The Planning Advisory Board recommended that the property be declared surplus and made available for sale.

Florida Statutes 125.35(2) provides that when the Board finds that the value of a parcel of real property is $15,000 or less, 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 (1) or more adjacent property owners, the Board may effect a private sale of the parcel.

The County Property Appraiser has determined that the property value of the parcel is $15,000. Additionally, the parcel is located outside of the County's Urban Development Boundary, which requires a minimum of five (5) acres for a building permit to be issued for any type of construction.

Due to the property's insufficient size to be issued a building permit, the parcel is of use only to the owner of the adjacent property on both sides of the subject parcel. Therefore, it is recommended that the property be offered for sale to Ms. Burkhead for the amount of $15,000.

Attachments

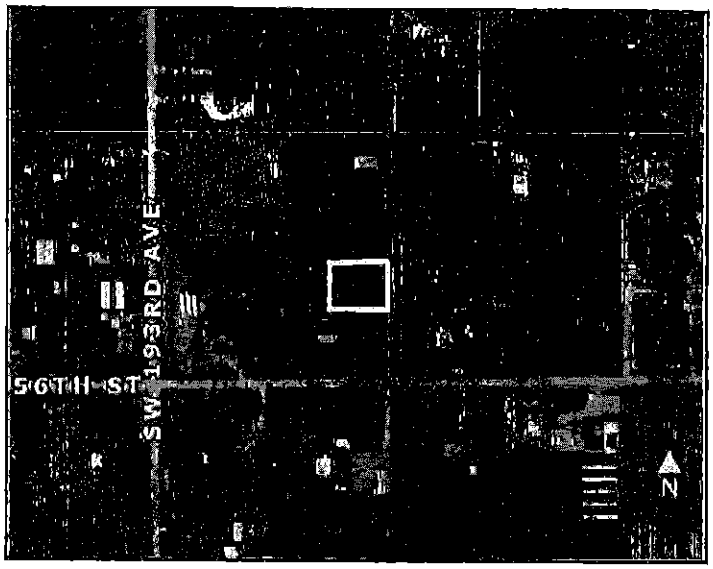
Edward Marquez
Deputy Mayor

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 7/7/2015

Property Information	
Folio:	30-6826-000-0280
Property Address:	
Owner	MIAMI-DADE COUNTY GSA R/E MGMT
Mailing Address	111 NW 1 ST STE 2460 MIAMI, FL33128-1929
Primary Zone	9000 AGRICULTURE
Primary Land Use	8080 VACANT GOVERNMENTAL : VACANT LAND - GOVERNMENTAL
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	21,780 Sq.Ft
Year Built	0



Assessment Information			
Year	2015	2014	2013
Land Value	$15,000	$15,000	$15,000
Building Value	$0	$0	$0
XF Value	$0	$0	$0
Market Value	$15,000	$15,000	$15,000
Assessed Value	$15,000	$15,000	$15,000

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	$15,000	$15,000	$15,000
Taxable Value	$0	$0	$0
School Board			
Exemption Value	$15,000	$15,000	$15,000
Taxable Value	$0	$0	$0
City			
Exemption Value	$0	$0	$0
Taxable Value	$0	$0	$0
Regional			
Exemption Value	$15,000	$15,000	$15,000
Taxable Value	$0	$0	$0

Benefits Information				
Benefit	Type	2015	2014	2013
County	Exemption	$15,000	$15,000	$15,000

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description

Short Legal Description
26 56 38 .50 AC M/L BEG 198FTN OF SE COR OF SE1/4 OF SE1/4 OF NW1/4 CONT N132FT W165FT S132FT E165FT TO POB LOT SIZE IRREGULAR

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at http://www.miamidade.gov/info/disclaimer.asp

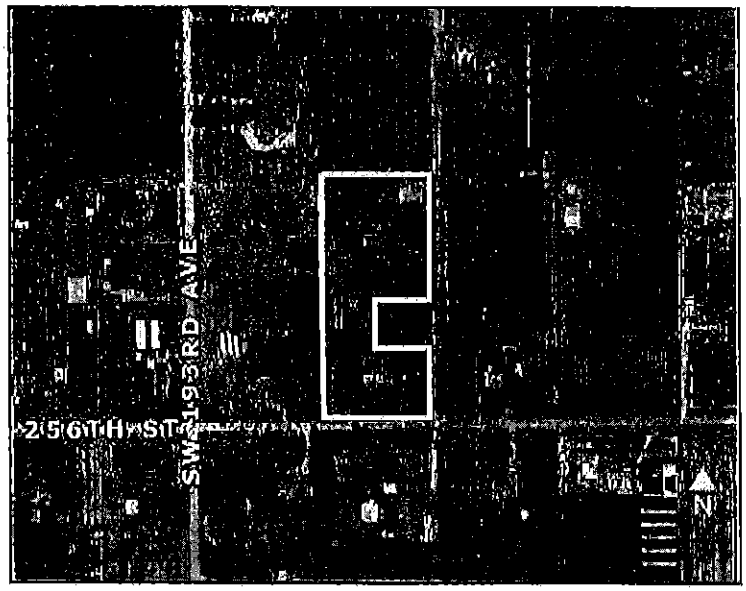
Version:

OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 6/2/2015

Property Information	
Folio:	30-6826-000-0360
Property Address:	19205 SW 256ST
Owner	LESLI A BURKHEAD
Mailing Address	19205 SW 256 ST HOMESTEAD, FL33031-1746
Primary Zone	9000 AGRICULTURE
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	2 / 2 / 0
Floors	2
Living Units	1
Actual Area	4,371 Sq.Ft
Living Area	2,120 Sq.Ft
Adjusted Area	2,796 Sq.Ft
Lot Size	174,240 Sq.Ft
Year Built	1992



Assessment Information			
Year	2015	2014	2013
Land Value	$140,000	$140,000	$140,000
Building Value	$125,035	$122,950	$63,210
XF Value	$8,518	$8,600	$0
Market Value	$273,553	$271,550	$203,210
Assessed Value	$264,826	$262,725	$203,210

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$214,826	$212,725	$153,210
School Board			
Exemption Value	$25,000	$25,000	$25,000
Taxable Value	$239,826	$237,725	$178,210
City			
Exemption Value	$0	$0	$0
Taxable Value	$0	$0	$0
Regional			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$214,826	$212,725	$153,210

Benefits Information				
Benefit	Type	2015	2014	2013
Save Our Homes Cap	Assessment Reduction	$8,727	$8,825	
Homestead	Exemption	$25,000	$25,000	$25,000
Second Homestead	Exemption	$25,000	$25,000	$25,000

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
06/01/2005	$400,000	23506-3345	2008 and prior year sales; Qual by exam of deed
01/01/2000	$0	18959-0762	Qual by exam of deed

Short Legal Description
26 56 38 4 AC
E300FT OF SE1/4 OF SE1/4 OF
NW1/4 LESS 15FT STRIP ON E & S
SIDES & 1/2 ACRE TO COUNTY
OR 18959-0762 012000 5

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Version:

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: October 6, 2015

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)
10-6-15

RESOLUTION NO. R-829-15

RESOLUTION DECLARING SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED IN THE VICINITY OF SW 256 STREET AND SW 192 AVENUE, UNINCORPORATED MIAMI-DADE COUNTY, FLORIDA (FOLIO NO. 30-6826-000-0280); AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY TO THE ADJACENT PROPERTY OWNER FOR $15,000.00 IN ACCORDANCE WITH FLORIDA STATUTES 125.35(2); AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSE

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

WHEREAS, the County-owned real property has been circulated to all County departments for possible use by the County, and it has been determined that the County has no need for the property, which is therefore declared surplus property; and

WHEREAS, pursuant to Section 125.35(2) of the Florida Statutes, the Board has determined that it is in the best interest of the County to sell County-owned real property located in the vicinity of SW 256 Street and SW 192 Avenue, unincorporated Miami-Dade County, Florida, Folio no. 30-6826-000-0280, (the "Property") to the sole adjacent property owner,

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. Pursuant to Section 125.35(2) of the Florida Statutes, this Board hereby declares the Property surplus; authorizes the sale to the adjacent property owner for $15,000.00, the market value determined by the Miami-Dade County Property Appraiser; and authorizes the County Mayor or the County Mayor's designee to take all actions necessary to accomplish the sale of the Property.

Section 3. The Board authorizes the Chairperson or Vice Chairperson of the Board to execute a County Deed for the purposes described herein, in substantially the form attached hereto as Exhibit A.

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:

Jean Monestime, Chairperson **aye**
Esteban L. Bovo, Jr., Vice Chairperson **aye**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**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 October, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

Monica Rizo

EXHIBIT A

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: 30-6826-000-0280

COUNTY DEED

THIS DEED, made this _____day of _____, 20__ 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:

26 56 38 .50 AC
M/L BEG 198FTN OF SE COR OF SE1/4 OF SE1/4 OF NW1/4
CONTINUING N132FT W165FT S132FT E165FT TO POB

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: _____
Chairperson or Vice Chairperson

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_____ day of_____, 20__.