

# MEMORANDUM

Agenda Item No. 11(A)(1)

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

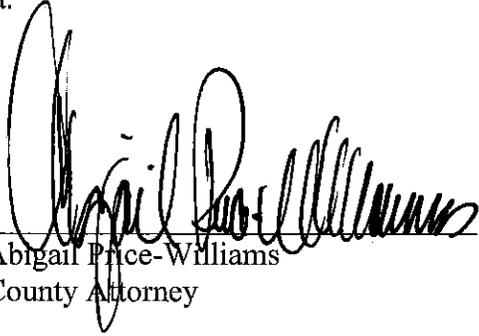
**DATE:** July 6, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution authorizing conveyance to the United States of America through its National Park Service of County-owned property (Folio No. 30-6022-000-0010) located north of Black Point Marina at no cost and in accordance with Florida Statute Section 125.38 in order to assist with the ecological restoration of Biscayne Bay as part of the Comprehensive Everglades Restoration Plan; authorizing the Chairperson or Vice-Chairperson of the Board to execute a County Deed for such purposes; waiving Administrative Order 8-4 as it relates to review by the Planning Advisory Board; and authorizing the County Mayor to take all actions necessary to accomplish the conveyance of property and to enforce the provisions set forth in the County Deed

Resolution No. R-650-16

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

  
Abigail Price-Williams  
County Attorney

APW/smm



# MEMORANDUM

(Revised)

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

**DATE:** July 6, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(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
- Statement of social equity 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)(1)  
7-6-16

RESOLUTION NO. R-650-16

RESOLUTION AUTHORIZING CONVEYANCE TO THE UNITED STATES OF AMERICA THROUGH ITS NATIONAL PARK SERVICE OF COUNTY-OWNED PROPERTY (FOLIO NO. 30-6022-000-0010) LOCATED NORTH OF BLACK POINT MARINA AT NO COST AND IN ACCORDANCE WITH FLORIDA STATUTE SECTION 125.38 IN ORDER TO ASSIST WITH THE ECOLOGICAL RESTORATION OF BISCAYNE BAY AS PART OF THE COMPREHENSIVE EVERGLADES RESTORATION PLAN; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSES; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF PROPERTY AND TO ENFORCE THE PROVISIONS SET FORTH IN THE COUNTY DEED

**WHEREAS**, the National Park Service, an agency of the Department of the Interior of the United States, which maintains and preserves Biscayne National Park, has requested that the County convey a 44.55-acre County-owned parcel, located just north of Black Point Marina, bearing Folio No. 30-6022-000-0010, also known as Otter Corner, to the National Park Service (hereinafter, the "Property"); and

**WHEREAS**, the Property is located within the footprint of the Biscayne Bay Wetlands Phase I, which is the part of the Comprehensive Everglades Restoration Plan that seeks to ecologically restore Biscayne Bay; and

**WHEREAS**, due to a flowage easement granted to the South Florida Water Management District by the County through Miami-Dade County Resolution No. R-764-08, the Property is already being utilized as part of the Biscayne Bay Wetlands Phase I; and

**WHEREAS**, the County is satisfied that the Property will continue to be used for said purpose if conveyed to the United States and that the intended use would promote community interest and welfare; and

**WHEREAS**, pursuant to Section 125.38 of the Florida Statutes, the County is satisfied that the conveyance of the Property to the United States serves the best interest of the public and the County; and

**WHEREAS**, the County is not using the Property for any County purpose and does not foresee using the Property for any County purpose; and

**WHEREAS**, pursuant to Administrative Order 8-4, Miami-Dade County Internal Services Department has announced the availability of the Property to all County departments, and no County department has expressed an interest in the Property; and

**WHEREAS**, this Board has reviewed and is satisfied with the information submitted in accordance with Resolution No. R-333-15 regarding the Property, which information is attached hereto as Exhibit 1 and incorporated herein by reference; and

**WHEREAS**, the Board desires to grant the County Mayor or County Mayor's designee the authority to take all actions necessary to accomplish the conveyance of the Property, which Property is legally described in Exhibit A of the accompanying County Deed, which is attached hereto as Exhibit 2,

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

**Section 1.** This Board ratifies and adopts the matters set forth in the foregoing recitals.

**Section 2.** This Board approves the conveyance, at no cost, of the Property to the United States of America, through its National Park Services, to be used for the ecological restoration of Biscayne Bay and for other park purposes, pursuant to Section 125.38 of the Florida Statutes; waives Administrative Order 8-4 as it relates to review by the Planning Advisory Board; authorizes the Chairperson or Vice-Chairperson of the Board, pursuant to Section 125.411, Florida Statutes, to execute the County Deed in substantially the form attached as Exhibit "2;" and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate this conveyance and to exercise all rights set forth in the County Deed, including recording an instrument in the Public Record of Miami-Dade County.

**Section 3.** This Board directs the County Mayor or County Mayor's designee to appoint staff to monitor compliance with the terms of this conveyance.

**Section 4.** This Board directs the County Mayor or County Mayor's designee, pursuant to Resolution No. R-974-09, 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 30 days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy of said instrument together with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It 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, Chairman	aye		
Esteban L. Bovo, Jr., Vice Chairman	aye		
Bruno A. Barreiro	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Dennis C. Moss	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye	Xavier L. Suarez	aye
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of July, 2016. 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. SED

Sarah E. Davis



**IMPORTANT MESSAGE**

When buying real estate property, you should not assume that property taxes will remain the same. Whenever there is a change in ownership, the assessed value of the property may reset to full market value, which could result in higher property taxes. Please use our Tax Estimator to approximate your new property taxes.

The Property Appraiser does not send tax bills and does not set or collect taxes. Please visit the Tax Collector's website directly for additional information.

Address    Owner Name    Folio

**SEARCH:**

30-6022-000-0010



**PROPERTY INFORMATION**

Folio: 30-6022-000-0010

Sub-Division:

Property Address

Owner  
MIAMI-DADE COUNTY  
WATER AND SEWER

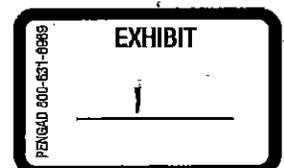
Mailing Address  
3071 SW 38 AVE  
MIAMI, FL 33146-1520

Primary Zone  
8900 INTERIM-AWAIT SPECIFIC ZO

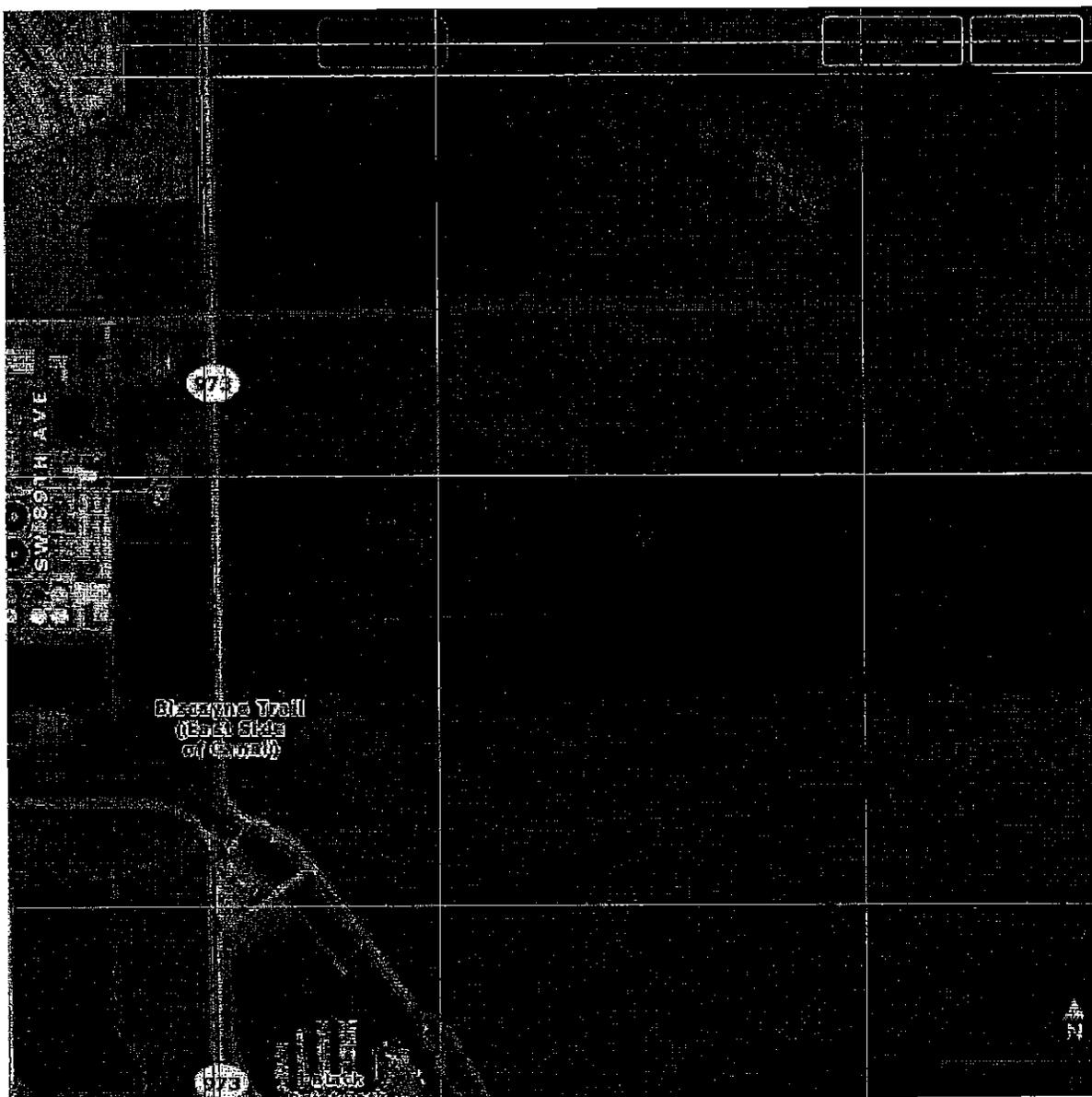
Primary Land Use  
8080 VACANT GOVERNMENTAL : VACANT LAND - GOVERNMENTAL

Beds / Baths / Half                      0 / 0 / 0

Floors    0



Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	8,164,886.4 Sq.Ft
Year Built	0



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 Property Taxes  
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 Tax Estimator  
 Value Adjustment Board

PA Additional Online Tools  
 Property Search Help  
 Report Discrepancies  
 Tax Comparison  
 TRIM Notice

<b>ASSESSMENT INFORMATION</b>			
Year	2015	2014	2013
Land Value	\$679,755	\$679,755	\$679,755
Building Value	\$0	\$0	\$0
Extra Feature Value	\$0	\$0	\$0
<b>Market Value</b>	<b>\$679,755</b>	<b>\$679,755</b>	<b>\$679,755</b>
<b>Assessed Value</b>	<b>\$679,755</b>	<b>\$679,755</b>	<b>\$679,755</b>

<b>TAXABLE VALUE INFORMATION</b>			
	2015	2014	2013
<b>COUNTY</b>			
Exemption Value	\$679,755	\$679,755	\$679,755
Taxable Value	\$0	\$0	\$0
<b>SCHOOL BOARD</b>			
Exemption Value	\$679,755	\$679,755	\$679,755
Taxable Value	\$0	\$0	\$0
<b>CITY</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
<b>REGIONAL</b>			
Exemption Value	\$679,755	\$679,755	\$679,755
Taxable Value	\$0	\$0	\$0

<b>BENEFITS INFORMATION</b>				
Benefit	Type	2015	2014	2013
County	Exemption	\$679,755	\$679,755	\$679,755

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

<b>FULL LEGAL DESCRIPTION</b>
22 56 40 187.44 AC
LOTS 1-2-3 LESS BLACK CREEK
CANAL R/W
LOT SIZE IRREGULAR
OR 14105-0538 0589 3

<b>SALES INFORMATION</b>			
Previous Sale	Price	OR Book-Page	Qualification Description
For more information about the Department of Revenue's Sales Qualification Codes.			

2015	2014	2013
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<b>LAND INFORMATION</b>					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	GU	8900 - INTERIM-AWAIT SPECIFIC ZO	Acres	47.43	\$189,720
GENERAL	AU	9000 - AGRICULTURE	Acres	140.01	\$490,035

<b>BUILDING INFORMATION</b>						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

<b>EXTRA FEATURES</b>			
Description	Year Built	Units	Calc Value

**ADDITIONAL INFORMATION**

\* The information listed below is not derived from the Property Appraiser's Office records. It is provided for convenience and is derived from other government agencies.

LAND USE AND RESTRICTIONS	
Community Development District:	NONE
Community Redevelopment Area:	NONE
Empowerment Zone:	NONE
Enterprise Zone:	NONE
Urban Development:	OUTSIDE URBAN DEVELOPMENT BOUNDARY
Zoning Code:	GU - INTERIM DISTRICT - USES DEPEND ON CHARACTER OF NEIGHBORHOOD, OTHERWISE EU-2 STANDARDS APPLY
Existing Land Use:	580 - OTHER NATURE PRESERVES AND PROTECTED AREAS (STATE MANGROVE PRESERVES, TURKEY POINT WILDERNESS AREA, GREAT CYPRESS SWAMP PRESERVES, AND ACQUIRED GOVERNMENT OWNED EEL SITES).
Government Agencies and Community Services	
OTHER GOVERNMENTAL JURISDICTIONS	
Business Incentives	
Childrens Trust	
Environmental Considerations	
Florida Department Of Revenue	
Florida Inland Navigation District	
Miami-Dade County	
PA Bulletin Board	
Non-Ad Valorem Assessments	
School Board	
South Florida Water Mgmt District	
Tax Collector	

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>

For inquiries and suggestions email us at <http://www.miamidade.gov/PAPortal/ContactForm/ContactFormMain.aspx>.

Version: 2.0.3

### EXEMPTIONS & BENEFITS

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Disability Exemptions

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Return to:  
Liliana M. Rainey-Lacau, Real Estate Manager  
Miami-Dade Water & Sewer Department  
3071 SW 38<sup>th</sup> Ave (Le Jeune Rd. 2<sup>nd</sup> Floor)  
Miami, Florida 33146

**COUNTY DEED**

THIS DEED, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D. by and between 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, Suite 17-202, Miami, Florida 33128-1970, and the United States of America whose address is c/o National Park Service, Land Resources Division, 1849 C Street, NW (2540), Washington, D.C., 20240-0001, party of the second part,

**WITNESSETH:**

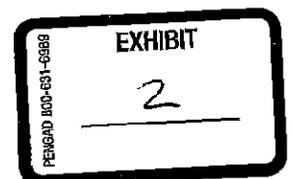
That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$ 10.00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida, to-wit:

See Attached - Exhibit A

This conveyance is subject to the property being used for public purpose—specifically, the ecological restoration of Biscayne Bay as part of the Comprehensive Everglades Restoration Plan and as part of the National Park System—and if no longer used for said purposes, shall automatically revert to the County.

This deed 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.

ATTEST:  
HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Jean Monestime, Chair

The foregoing was authorized and approved by Resolution No. \_\_\_\_\_ of the Board of County Commissioners of Miami-Dade County, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

**Exhibit "A"**  
**MIAMI-DADE COUNTY**  
**SEC.22-TWP.56S-RGE.40E**

**Property Legal Description**  
**(Biscayne National Park - Tract 105-12)**

A portion of Government Lots 1 and 2, of Section 22 Township 56 South Range 40 East in Miami-Dade County, State of Florida, more particularly described as :

Beginning at the Northeast corner of Section 22, Township 56 South, Range 40 East; thence along the Southeasterly line of Government Lots 1 and 2, South 58 degrees 22 minutes 34 seconds West for a distance of 3,500.00 feet; thence due North for a distance of 400.00 feet; thence North 30 degrees East for a distance of 600.00 feet; thence North 45 degrees East for a distance of 1,259.37 feet to the intersection with the North line of said Section 22; thence along said North line, North 89 degrees 11 minutes 51 seconds East, for a distance of 1,789.94 feet returning to the Point of Beginning, containing an area of ±44.55 Acres, all the foregoing lying and being in Miami-Dade County, Florida.

Subject to: An easement for flowage and inundation (OR26532PG1486)



Certified to:  
United States of America, National Park Service  
Miami-Dade County, Florida

17

S.B. Elrubale, PSM, LS6394  
Date: 05/11/2016

# Property Sketch and Description (Biscayne National Park - Tract 105-12)

A portion of Government Lots 1 and 2,  
Section 22, Township 56 South Range 40 East

**THIS IS NOT A FIELD SURVEY** - but a sketch based on a Survey  
This Sketch based on: Mickey Survey dated April 26, 1884  
Published Section Corners shown per Ft. DEP Labins website  
Stewart Title Guaranty Company Title Policy - File 27223 -  
Order 16061 - dated March 31, 2016

South Florida Water Management District

SWFMD  
NW Corner Sec 22  
Record #089819 - 2006  
N443429.8574, E876964.3515  
3/4 Iron Pipe

NE Corner Sec 22  
Record #089821 - 2006  
N443473.8090, E879228.5318  
Conc. Mon. Marking

South Florida Water Management District  
SWFMD  
OR231637PG3488  
35-6015-000-0020

NE Corner Sec 22  
Record #089822 - 2006  
N443877.872, E881951.041  
Briess Disc in Corners Mark

Lot 3  
443.54 Acres

Lot 2  
446.60 Acres

Lot 1  
447.60 Acres

"Parent Parcel"  
MIAMI-DADE COUNTY WATER AND SEWER  
Gov't Lots 1, 2 and 3  
30-6022-000-0010  
OR141065/PG538  
±187.44 Acres  
Remainder ± 142.89 Acres

New Parcel  
Tract 105-12  
Biscayne National Park  
±44.55 Acres

Biscayne National Park  
Tract 105-13

STATE OF FLORIDA - BTHFF  
No Folio/Parcel ID

## NPS Tract 105-12

A portion of Government Lots 1 and 2, of Section 22, Township 56 South  
Range 40 East in Miami-Dade County, State of Florida,  
more particularly described as:

Beginning at the Northeast corner of Section 22, Township 56 South,  
Range 40 East; thence along the Southeastery line of Government  
Lots 1 and 2, South 58 degrees 22 minutes 34 seconds West  
for a distance of 3,500.00 feet; thence due North for a distance of 400.00 feet; thence  
North 30 degrees East for a distance of 600.00 feet; thence  
North 45 degrees East for a distance of 1,259.37 feet to the intersection with the North  
line of said Section 22; thence along said North line,  
North 89 degrees 11 minutes 51 seconds East, for a distance of 1,789.94 feet returning  
to the Point of Beginning, containing an area of ±44.55 Acres; all the foregoing lying and  
being in Miami-Dade County, Florida.

Subject to: An easement for towage and inundation (OR26532PG1485)

STATE OF FLORIDA - BTHFF  
No Folio/Parcel ID

0 200' 400' 600' 800' 1000'

### NOTES:

1. Basis of bearings is North 89°11'51" East for the North line of the Northeast Corner of Section 22, Township 56 South, Range 40 East.
2. Not valid without signature and stamped seal of a Florida Licensed Surveyor and Mapper.
3. Property is located in a "AE" flood zone, elevation 13 NAVD88 per FEMA 13086C-0612L dated 09/11/2009.
4. Liability is limited to the cost of services provided.

### LEGEND

- ⊙ Taker on File
- ⊙ Concrete Measurement
- DB - Deed Book
- OR - Official Record
- PS - Plat Book
- PG - Page
- PL - Public Law

## Exhibit "A"

Certified for  
United States of America, National Park Service  
Miami-Dade County, Florida

S.B. Bluhule, PSM, L56394  
Date: 05/11/2016