

MEMORANDUM

Agenda Item No. 8(F)(2)

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

DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring surplus County-owned real property located adjacent to and west of 585 NW 94 Street, unincorporated Miami-Dade County (Folio No. 30-3101-003-2040); authorizing the private sale of said property to an adjacent property owner for its market value of \$12,507.00 as determined by the Miami-Dade County Property Appraiser pursuant to Florida Statutes 125.35(2); waiving Administrative Order No. 8-4 as it relates to review by the Planning Advisory Board; 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-615-16

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: July 6, 2016

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

Subject: Declaring as Surplus County-Owned Real Property Located Adjacent to and West of
585 NW 94 Street, Miami, Florida
Folio No. 30-3101-003-2040

Recommendation

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

- Declares as surplus a 2,900 square foot vacant County-owned property located adjacent to and west of 585 NW 94 Street, Miami, Florida (Folio No. 30-3101-003-2040), as shown in the attached property map, Summary Report (Attachment 1 to the transmittal memorandum);
- Authorizes the sale of the subject property by the County Mayor or the County Mayor's designee in accordance with Florida Statutes Section 125.35(2), which provides for the private sale of County-owned property to an adjacent property owner when it is determined that the parcel of real property is of insufficient size and shape to be issued a building permit for any type of development; and
- Waives Administrative Order No. 8-4, as it relates to review by the County's Planning Advisory Board.

Scope

The property is located in Commission District 3, which is represented by Commissioner Audrey M. Edmonson.

Fiscal Impact/Funding Source

The sale of this property will eliminate the County's obligation to maintain the property, which costs approximately \$115 per year, and will place the property back on the tax roll, generating approximately \$228 in annual ad valorem taxes.

Track Record/Monitor

Carmen Gomez of the Internal Services Department, Real Estate Development Division, is managing the sale of this property.

Delegation of Authority

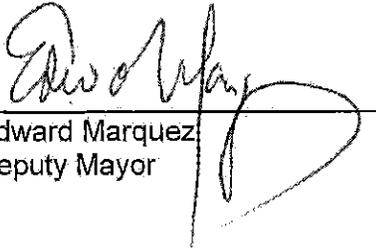
Authorizes the County Mayor or the County Mayor's designee to sell the property via private sale to an adjacent property owner, take all actions necessary to accomplish the sale of the property, and authorize the Chairperson or Vice Chairperson of the Board to execute a County Deed (Exhibit A to the resolution) for such purpose.

Background

The Internal Services Department circulated the property to all County departments and the City of Miami to determine whether there is a present or future need for the property. It was determined that neither the County nor City have a need for the property. The County acquired the property via Escheatment Tax Deed (Attachment 2 to the transmittal memorandum) on January 13, 2014.

Staff has determined that the parcel is of insufficient size and shape to be issued a building permit for any type of development to be constructed on this property. The property is a 50 X 58 piece of land and is only of use to the adjacent property owners. If approved for surplus, the property will be offered for sale to all of the adjacent property owners with a minimum sale amount of \$12,507, which represents its 2015 market value. If more than one (1) adjacent property owner expresses interest in the property, it will be bid amongst the adjacent property owners and sold to the highest bidder. An appraisal of the property was not requested, as the market value is less than \$50,000.

Attachments

A handwritten signature in black ink, appearing to read "Edward Marquez", written over a horizontal line. The signature is stylized and extends below the line.

Edward Marquez
Deputy Mayor

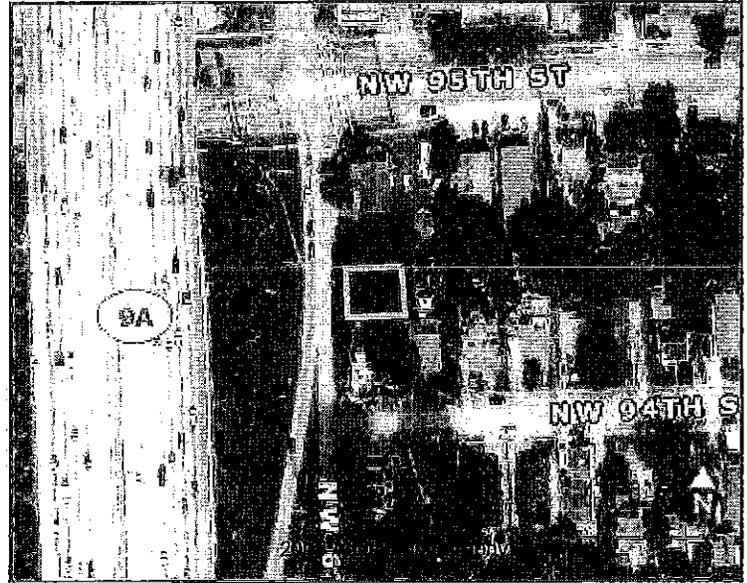


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 5/17/2016

Property Information	
Folio:	30-3101-003-2040
Property Address:	
Owner	MIAMI DADE COUNTY ISD RE MGMT
Mailing Address	111 NW 1 ST STE 2460 MIAMI, FL 33128
Primary Zone	5100 BUNGALOW COURTS
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	2,900 Sq.Ft
Year Built	0



Assessment Information				
Year	2015	2014	2013	
Land Value	\$12,507	\$3,829	\$3,063	
Building Value	\$0	\$0	\$0	
XF Value	\$0	\$0	\$0	
Market Value	\$12,507	\$3,829	\$3,063	
Assessed Value	\$12,507	\$3,369	\$3,063	

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction		\$460	
County	Exemption	\$12,507	\$3,369	\$3,063

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

Short Legal Description
PINEWOOD PK AMD 2ND ADDN PB 34-84 N50FT OF LOT 24 BLK 16 LOT SIZE 50.000 X 58 OR 13494-1714 1187 2

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	\$12,507	\$3,369	\$3,063
Taxable Value	\$0	\$0	\$0
School Board			
Exemption Value	\$12,507	\$3,829	\$3,063
Taxable Value	\$0	\$0	\$0
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$12,507	\$3,369	\$3,063
Taxable Value	\$0	\$0	\$0

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
02/06/2014	\$0	29021-4450	Corrective, tax or QCD; min consideration
11/01/1987	\$36,000	13494-1714	Deeds that include more than one parcel

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.miamidadegov/info/disclaimer.asp>

Version:



CFN 2014R0096750
OR Bk 29021 Pg 4450; (1pg)
RECORDED 02/06/2014 15:00:47
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA
LAST PAGE

Tax Deed File Number 09-796
Property Identification No. 30-3101-003-2040

ESCHEATMENT
TAX DEED
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.

COPIES - 6 P. 028

On this 13 day of JANUARY 2014 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:

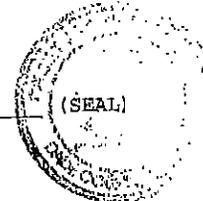
PINEWOOD PK AMD 2ND ADDN PB 34-84 N50FT OF LOT 24 BLK 16 LOT SIZE 50.000 X 58

Witnessed by:

Velinda Brown E10005
VELINDA BROWN
Monica E. De La Cruz E21209
MONICA E. DE LA CRUZ

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

BY: Ina Melceras
DEPUTY CLERK



BEFORE ME, the undersigned notary public, personally appeared INA MELCERAS, 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 January 13, 2014



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

This instrument prepared by

DANIEL CALIXTE
Deputy Clerk of the Circuit Court of
Miami-Dade County, Florida

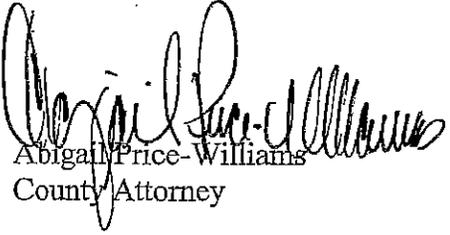


MEMORANDUM

(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. 8(F)(2)

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. 8(F)(2)
7-6-16

RESOLUTION NO. R-615-16

RESOLUTION DECLARING SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED ADJACENT TO AND WEST OF 585 NW 94 STREET, UNINCORPORATED MIAMI-DADE COUNTY (FOLIO NO. 30-3101-003-2040); AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY TO AN ADJACENT PROPERTY OWNER FOR ITS MARKET VALUE OF \$12,507.00 AS DETERMINED BY THE MIAMI-DADE COUNTY PROPERTY APPRAISER PURSUANT TO FLORIDA STATUTES 125.35(2); WAIVING ADMINISTRATIVE ORDER NO. 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; 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 owns a parcel of land located adjacent to and west of 585 NW 94 Street in unincorporated Miami-Dade County, identified by Folio No. 30-3101-003-2040 (the "Property"); and

WHEREAS, pursuant to Section 125.35(2) of the Florida Statutes, this Board finds that the Property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the Property; and

WHEREAS, due to the size, shape, location, and value of the Property, this Board finds that it is of use only to one or more adjacent property owners; and

WHEREAS, the Property has been circulated to all County departments and the City of Miami for possible use by either entity, and it has been determined that neither entity has a 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 the Property to an 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 an adjacent property owner for no less than \$12,507.00, the market value of the Property as 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. This Board waives Administrative Order No. 8-4 as it relates to review by the County's Planning Advisory Board.

Section 4. 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, 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 6th 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.

Debra Herman

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.: 30-3101-003-2040

COUNTY DEED

THIS DEED, made this _____ day of _____, 2016 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:

N50FT OF LOT 24 BLK 16 PINEWOOD PK AMD 2ND ADDN PB 34-84, 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

MIAMI-DADE COUNTY
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Jean Monestime, Chairman

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 _____, 2016.