MEMORANDUM

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CLERK OF THE BOARD
OF COUNTY COMMISSIONER
DADE COUNTY, FLORIDA
Agenda Item No. 11(A)(2)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: November 6, 2007

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

SUBJECT: Resolution approving extension of a county reverter on property conveyed to the Higher Praise and Worship Center

R-1239-07

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez.

R. A. Cuevas, Jr.
County Attorney

RAC/bw

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: November 6, 2007

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

SUBJECT: Agenda Item No. 11(A)(2)

Please note any items checked.

_____	**"4-Day Rule" ("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**
_____	**Bid waiver requiring County Manager's written recommendation**
_____	**Ordinance creating a new board requires detailed County Manager's report for public hearing**
_____	**Housekeeping item (no policy decision required)**
_____	**No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
11-6-07

RESOLUTION NO. R-1239-07

RESOLUTION APPROVING THE EXTENSION OF A COUNTY REVERTER FOR AN ADDITIONAL THREE YEARS TO AUGUST 2011 ON PROPERTY LOCATED AT SW 60TH AVENUE AND SW 66TH TERRACE AND CONVEYED TO THE HIGHER PRAISE AND WORSHIP CENTER FOR USE AS A COMMUNITY OUTREACH CENTER AND PARKING LOT; AND AUTHORIZING EXECUTION OF A CORRECTIVE COUNTY DEED FOR SUCH PURPOSE

WHEREAS, this Board passed Resolution No. R-596-03 authorizing conveyance of County surplus property located at SW 60th Avenue and SW 66th Terrace to The Higher Praise and Worship Center for a Community Outreach Center and to provide sufficient parking; and

WHEREAS, the property was conveyed by County Deed to Higher Praise and Worship Center Church of God Prophecy on August 27, 2003, with a restriction that the property must be used as a community center or parking for the community center within five (5) years from the date of the Deed or the property automatically reverts to the County; and

WHEREAS, because of unforeseen delays including the occurrence of two (2) hurricanes, and monetary shortfalls, The Higher Praise and Worship Church of God Prophecy has requested an extension of the reverter for three (3) additional years until August 27, 2011; and

WHEREAS, the Higher Praise and Worship Center, has a set of plans prepared to build a new church with enhanced outreach capacity,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board approves the execution of a Corrective County Deed in substantially the form attached hereto extending the

reversionary provision from five (5) to eight (8) years or until August 27, 2011; and authorizing the Mayor to execute said Corrective County Deed.

The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez and offered by Commissioner **Audrey M. Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Carlos A. Gimenez** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman **aye**
Barbara J. Jordan, Vice-Chairwoman **absent**

Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Joe A. Martinez	**aye**	Dennis C. Moss	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of November, 2007. 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: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas Goldstein

Instrument prepared under the direction of
Thomas Goldstein, Assistant County Attorney
111 N.W. lst Street, 28th floor
Miami, Florida 33128-1907
Folio No.: 09-4025-029-0160

CORRECTIVE COUNTY DEED

The purpose of this Corrective County Deed is to extend the time of Reverter on the subject property from 5 years to 8 years for compliance with the Restriction contained herein. This Corrective County Deed shall supersede and replace the restrictions stated in the previous County Deed recorded on the Property in Official Records Book 21586, at Page 2082 of the Public Records of Miami-Dade County, on August 28, 2003.

THIS DEED, made this _____ day of _____, 2007, between **MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida,** whose address is: Stephen P. Clark Center, 111 N.W. 1 Street, Suite 17-202, Miami, Florida 33128-1963, party of the first part, and **HIGHER PRAISE AND WORSHIP, CHURCH OF GOD PROPHECY,** party of the second part, whose address is: 6610 SW 59th Place, South Miami, Florida 33143.

WITNESSETH, that said party of the first part, for and in consideration of the sum of Ten Dollars ($10.00), to it in hand paid by party of the second part, receipt whereof is hereby acknowledged, does hereby grant, bargain and sell to party of the second part, its successors and assigns forever, the following described land, lying and being in Miami-Dade County, Florida, to wit:

Lot 30, BLOCK A, TOWNSITE OF LARKINS RESUB, according to the Plat thereof recorded in Plat Book 4 at Page 1 of the Public Records of Miami-Dade County, Florida also identified as Folio No. 09-4025-029-0160.

Subject to the following restrictions:
In the event that this property is not used as a community center or parking for the community center within eight years, from the date of this conveyance the property shall automatically revert back to Miami-Dade County.

This grant 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 Mayor of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:
HARVEY RUVIN, CLERK

BY: _____
Deputy Clerk

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

BY: _____
Carlos Alvarez, Mayor

The foregoing was authorized and approved by Resolution No. of the Board of County Commissioners of Miami-Dade County, Florida, on the _____day of _____, 2007.

Approved to form and legal sufficiency _____

The foregoing was authorized and approved