

MEMORANDUM

Agenda Item No. 11(A)(1)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 7, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution declaring surplus a County-owned vacant real property (Folio Number 01-4121-015-0030) located at 3024 SW 27th Avenue, Miami, Florida and authorizing the public sale of the property to the highest bidder in accordance with section 125.35(1), Florida Statutes, for no less than the market value set forth in the Property Appraiser's website of \$480,000.00 subject to certain conditions; directing the County Mayor to perform due diligence in accordance with Implementing Order No. 8-4, to take all actions necessary to accomplish the sale of the property; and authorizing the Chairperson or Vice-Chairperson of the Board to execute County Deed for such purpose

Resolution No. R-210-23

The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Kevin Marino Cabrera and Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 7, 2023

FROM: 
Gen Bonzon-Keenan
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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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)
3-7-23

RESOLUTION NO. _____ R-210-23

RESOLUTION DECLARING SURPLUS A COUNTY-OWNED VACANT REAL PROPERTY (FOLIO NUMBER 01-4121-015-0030) LOCATED AT 3024 SW 27TH AVENUE, MIAMI, FLORIDA AND AUTHORIZING THE PUBLIC SALE OF THE PROPERTY TO THE HIGHEST BIDDER IN ACCORDANCE WITH SECTION 125.35(1), FLORIDA STATUTES, FOR NO LESS THAN THE MARKET VALUE SET FORTH IN THE PROPERTY APPRAISER'S WEBSITE OF \$480,000.00 SUBJECT TO CERTAIN CONDITIONS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PERFORM DUE DILIGENCE IN ACCORDANCE WITH IMPLEMENTING ORDER NO. 8-4, TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF THE PROPERTY; AND AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE COUNTY DEED FOR SUCH PURPOSE

WHEREAS, the County owns a 6,000 square foot vacant parcel of land located at 3024 SW 27th Avenue, in Miami, Florida (Folio No. 01-4121-015-0030) (the "Property") as depicted in Exhibit "A," attached hereto and incorporated herein by reference; and

WHEREAS, the Property was acquired by the County in 2011 as part of an eminent domain acquisition initiated by the Department of Transportation and Public Works (DTPW) in connection with the 27th Avenue roadway project; and

WHEREAS, DTPW has confirmed that the Property is the excess portion of a larger acquisition which was needed for the roadway project, and is currently unused; and

WHEREAS, the market value of the Property in 2022 as set forth in the Miami-Dade County Property Appraiser's website is \$480,000.00; and

WHEREAS, since the Property is vacant and not currently in use, this Board seeks to sell the Property at public sale to the highest bidder with a minimum sale amount of \$480,000.00, which will also benefit the County by placing the Property back on the tax roll and removing the County's maintenance costs and responsibilities; and

WHEREAS, accordingly, this Board directs the County Mayor or County Mayor's designee to perform all necessary due diligence in accordance with Implementing Order 8-4, including but not limited to circulating a memorandum to all County departments announcing the availability of the Property; and

WHEREAS, pursuant to section 125.35(1), Florida Statutes, assuming that there are no obstacles to the sale of the Property, this Board finds that it would be in the best interest of the County to sell the Property by public sale to the highest bidder, for no less than \$480,000.00 as a starting bid,

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 directs the County Mayor or County Mayor's designee to perform all necessary due diligence in accordance with Implementing Order No. 8-4, including but not limited to circulation of the Property, to confirm that there are no obstacles or impediments to the sale of the Property.

Section 3. Pursuant to section 125.35(1), Florida Statutes, provided that the County Mayor or County Mayor's designee determine that no obstacles exist preventing the sale of the Property after conducting all necessary due diligence, this Board hereby declares the Property surplus and authorizes the sale to the highest bidder through the competitive bidding process for no less than \$480,000.00.

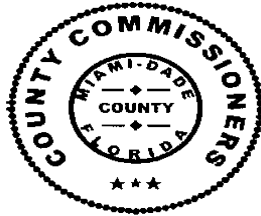
Section 4. This Board directs the County Mayor or County Mayor’s designee to take all actions necessary to accomplish the sale of the Property, and to appoint staff to monitor compliance with the terms set forth herein.

Section 5. This 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 “B.”

The Co-Prime Sponsors of the foregoing resolution are Commissioner Kevin Marino Cabrera and Commissioner Raquel A. Regalado. It was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman				aye
Anthony Rodríguez, Vice Chairman				aye
Marleine Bastien	aye	Juan Carlos Bermudez		aye
Kevin Marino Cabrera	aye	Sen. René García		absent
Roberto J. Gonzalez	aye	Keon Hardemon		aye
Danielle Cohen Higgins	aye	Eileen Higgins		aye
Kionne L. McGhee	aye	Raquel A. Regalado		aye
Micky Steinberg	aye			

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of March, 2023. 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

LUIS G. MONTALDO, CLERK AD INTERIM

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "Debra Herman", is written over a horizontal line.

Debra Herman



OFFICE OF THE PROPERTY APPRAISER

Exhibit "A"

Summary Report

Generated On : 1/18/2023

Property Information	
Folio:	01-4121-015-0030
Property Address:	3024 SW 27 AVE Miami, FL 33133-4626
Owner	MIAMI DADE COUNTY PUBLIC WORKS
Mailing Address	111 NW 1 ST STE 1610 MIAMI, FL 33128
PA Primary Zone	6101 CEN-PEDESTRIAN ORIENTATIO
Primary Land Use	8047 VACANT GOVERNMENTAL : DADE COUNTY
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	6,000 Sq.Ft
Year Built	0



Assessment Information			
Year	2022	2021	2020
Land Value	\$480,000	\$480,000	\$480,000
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$480,000	\$480,000	\$480,000
Assessed Value	\$480,000	\$480,000	\$480,000

Benefits Information				
Benefit	Type	2022	2021	2020
County	Exemption	\$480,000	\$480,000	\$480,000

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

Short Legal Description	
MALCOLM PEACOCKS SUB OF PENT	
HOMESTEAD PB 3-53	
LOT 3 LESS E30FT FOR R/W	
LOT SIZE 6000 SQ FT	
OR 18613-2556 0599 5	

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$480,000	\$480,000	\$480,000
Taxable Value	\$0	\$0	\$0
School Board			
Exemption Value	\$480,000	\$480,000	\$480,000
Taxable Value	\$0	\$0	\$0
City			
Exemption Value	\$480,000	\$480,000	\$480,000
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$480,000	\$480,000	\$480,000
Taxable Value	\$0	\$0	\$0

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
05/24/2011	\$0	28707-2038	Corrective, tax or QCD; min consideration
09/01/2003	\$610,000	21664-3496	Sales which are qualified
12/01/1995	\$305,000	17034-2723	Sales which are qualified
10/01/1994	\$247,000	16563-2031	Sales which are qualified

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:

MDC007

EXHIBIT B

Instrument prepared by:

Internal Services Department
111 N.W. 1 Street
Miami, Florida 33128-1907

Folio No: 01-4121-015-0030

COUNTY DEED

THIS DEED, made this ____ day of _____, 2023, by **MIAMI-DADE COUNTY, a political subdivision of the State of Florida** (the “County”), whose address is: Stephen P. Clark Center, 111 N.W. 1 Street Suite 17-202, Miami, Florida 33128-1963, and _____ (“Grantee”) whose address is _____, its successors and assigns:

WITNESSETH:

That the County, for and in consideration of the sum of _____, to it in hand paid by the Grantee, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the Grantee, its successors and assigns forever, the following described land lying and being in Miami-Dade County, Florida (the “Property”):

(ISD TO CONFIRM AND INSERT LEGAL)

Lot 3 of MALCOLM PEACOCK’S SUBDIVISION, according
to the plat thereof recorded in Plat Book 3, Page 53 of the Public Records of
Miami-Dade County, Florida, Less the East 30 Feet thereof

.

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.

[SIGNATURE PAGE ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF the said the County 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:

LUIS G. MONTALDO, CLERK AD INTERIM

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

By: _____
Deputy Clerk

By: _____
Chairperson or Vice-Chairperson

Approved for legal sufficiency _____

Assistant County Attorney

The foregoing was authorized by Resolution _____ approved by the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 202_.