

Deputy Superintendent of Schools  
Henry C. Fraind

**SUBJECT: AUTHORIZATION TO PROVIDE A PARTIAL REIMBURSEMENT PURSUANT TO THE AGREEMENT WITH CCJ INVESTMENTS, INC., FOR A PORTION OF THE FAIR MARKET VALUE OF LAND ASSOCIATED WITH THE CONSTRUCTION OF PRIMARY LEARNING CENTER "H" AS A CONTRIBUTION IN-LIEU-OF IMPACT FEES**

At its June 21, 1995 meeting, the Board authorized the Superintendent to negotiate a Declaration of Restrictions (Declaration), and Development Agreement (Agreement), for Application No. 95-15, Gertrude G. Ellis, et al., Trustees, subsequently assigned to CCJ Investments, Inc. (CCJ). The Declaration and Agreement provided for CCJ to construct a Primary Learning Center (PLC "H"), and contribute a 1.599 acre site to the Board, as a contribution in-lieu-of impact fees, in order to mitigate the impact of the proposed residential development. PLC "H," located at 8875 N.W. 143 Street (see attached location map), opened for the 1998-99 school year.

Pursuant to the terms of the Declaration and Agreement, CCJ is entitled to a reimbursement in an amount to be calculated by subtracting the total actual impact fees owed by the development upon its completion, from the PLC value established by the Board after the fair market value of the PLC site is determined by a District-commissioned appraisal (the total PLC value is equal to \$1.8 million plus the fair market value of the PLC site).

At its August 28, 1998 meeting the Board authorized a partial reimbursement to CCJ, in the amount of \$1,539,816.82 (the value of the PLC, exclusive of the site, and District-initiated scope changes less \$404,132.33 in impact fees owed by the development). Pursuant to the terms of the Declaration and Agreement the Board must still reimburse CCJ for the fair market value of the PLC site as determined by a District-commissioned appraisal.

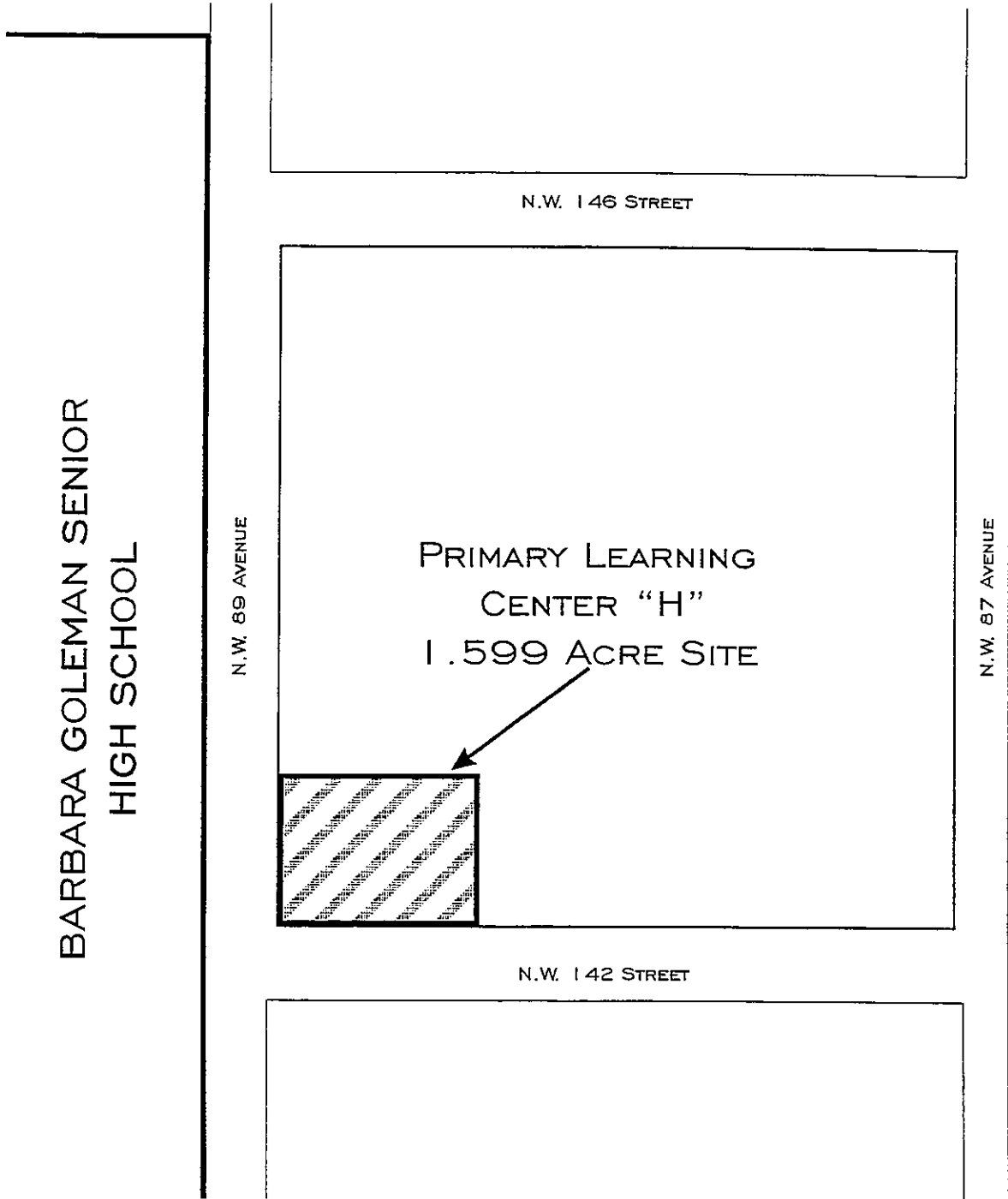
The District-commissioned appraisal indicates a fair market value significantly below that of an appraisal obtained by CCJ, and the total PLC site value is currently in dispute based on a variety of appraisal assumptions. In an effort to resolve this dispute, and with the agreement of CCJ, the District has commissioned an additional appraisal. However, in the interim, it would be fair and reasonable for the District to reimburse CCJ for the portion of the PLC site value which is not in dispute. The District's appraiser, R. G. Davis and Associates, Inc., has advised that the fair market value of the 1.599 acre site exceeds \$300,000 and therefore, a minimum site value for partial reimbursement purposes would be no less than \$300,000. CCJ concurs that the fair market value of the site exceeds \$300,000, and will accept \$300,000 for partial reimbursement purposes until new appraisal information is available.

It is recommended that the Board authorize a partial reimbursement to CCJ in the amount of \$300,000, representing the minimum value for the PLC "H" site. Once the new appraisal is available, and any disputes regarding the PLC site value are resolved, any amount above \$300,000 will be brought back to the Board for consideration.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize a partial reimbursement from Educational Facilities Impact Fee funds for CCJ Investments, Inc., in the amount of \$300,000, representing the minimum value for the PLC "H" site.

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# LOCATION MAP



BARBARA GOLEMAN SENIOR  
HIGH SCHOOL

N.W. 69 AVENUE

N.W. 67 AVENUE

N.W. 146 STREET

N.W. 142 STREET

PRIMARY LEARNING  
CENTER "H"  
1.599 ACRE SITE

