

Facilities Planning and Construction
Paul J. Phillips, Chief Facilities Officer

**SUBJECT: AUTHORIZATION TO EXECUTE A PURCHASE AND SALE AGREEMENT
WITH HARRY SPEIZER, FOR THE PURCHASE OF LAND FOR STATE
SCHOOL "MM1"**

At its October 20, 1999 meeting, the Board authorized staff to negotiate for the purchase of up to 20.35 acres of vacant land located at N.W. 79 Avenue and south of N.W. 160 Terrace (see attached location map).

Pursuant to negotiating procedures, Management Team (MT) meetings were held on October 25, 1999, November 8, 1999 and November 22, 1999 in order to identify the specific parameters and strategies to be used in negotiating for the purchase of this property. Based on the MT recommendations, staff entered into negotiations with Harry Speizer. The District commissioned two separate independent appraisals for the subject property. The District has completed two appraisals of the property which indicate values of \$108,000 per acre, and \$91,400 per acre. However, because of the disparity between the two appraisals and concerns about the comparable sales, staff questioned the validity of the appraisals and a third party review appraisal was ordered. The review appraisal concurred with the value of \$108,000 per acre. Therefore, the average appraised value is \$108,000 per acre. A purchase and sale agreement for this property has been negotiated under the following terms and conditions:

- the purchase price shall be \$130,000 per acre for 17.5 acres;
- the seller shall be responsible for the cost of any outstanding taxes, special assessments or liens on the subject property;
- the seller shall be responsible for the requisite documentary stamps/surtax on the deed;
- the seller shall secure an updated abstract or a title commitment for the subject property;
- the seller shall secure a signed and sealed survey and its own environmental assessment of the subject property;
- in the event that environmental problems are discovered, the Board shall not be obligated to proceed with the purchase of the subject property; and
- the seller shall remove or cure any liens and encumbrances, unless otherwise agreed to by the Board.

The land is legally described as:

A PORTION OF TRACTS 51, 52, 53 AND 54 OF "FLORIDA FRUIT LAND COMPANY SUBDIVISION NO I", IN SECTION 15, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTH ½ OF SAID TRACT 54; THENCE N.89 50'59"E. ALONG THE SOUTH LINE OF THE NORTH ½ OF SAID TRACT 54 FOR 30.03 FEET TO THE NORTHWEST CORNER OF TRACT "A", OF "ROYAL OAKS PLAZA", AS RECORDED IN PLAT BOOK 130, AT PAGE 29, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, ALSO BEING THE "POINT OF BEGINNING" OF THE PARCEL OF LAND HEREINAFTER BEING DESCRIBED, THENCE CONTINUE N.89 50'59"E. ALONG THE LAST DESCRIBED COURSE, ALSO ALONG THE NORTH LINE OF SAID TRACT "A", OF "ROYAL OAKS PLAZA", FOR 589.97 FEET, THENCE N.00 09'01"W. FOR 577.73 FEET; THENCE N.89 50'59"E. FOR 473.67 FEET, TO A POINT OF THE WEST RIGHT-OF-WAY LINE OF N.W. 77TH COURT, THENCE N.02 39'30"W. ALONG THE SAID WEST LINE OF N.W. 77TH COURT FOR 402.46 FEET TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF THE SOUTH ½ OF SAID TRACT 51; THENCE S.89 58'32"W. ALONG THE NORTH LINE OF THE SOUTH ½ OF SAID TRACT 51 FOR 1088.74 FEET TO THE EAST RIGHT-OF-WAY LINE OF N.W. 79TH AVENUE, THENCE S.02 38'22"E. ALONG A LINE PARALLEL TO AND 30 FEET EAST OF THE WEST LINE OF SAID TRACT 51, 52, 53, AND 54, AND ALONG THE WEST RIGHT-OF-WAY LINE OF N.W. 79TH AVENUE FOR 983.13 FEET TO THE "POINT OF BEGINNING" CONTAINING 18.07 +/- ACRES.

The negotiated purchase price for the subject property is approximately 20.37% above the average appraised value of the property, therefore requiring an extraordinary vote of the Board to authorize the execution of a purchase and sale agreement. The reasons for recommending a purchase price in excess of appraised value are as follows:

- The site is located in a rapidly developing area of the County and is the only vacant parcel, without significant environmental, infrastructure, cost or other constraints, of sufficient size for a middle school between N.W. 87 Avenue and N.W. 67 Avenue, from N.W. 154 Street north to the Broward County line.
- The owners have reduced their original asking price from \$163,000 per acre, to the negotiated price indicated and staff does not believe that a lower price can be negotiated.
- This site is located within a stormwater retention exemption area and therefore, no additional acreage is required to be set-aside for drainage.

Pursuant to Florida Statutes, Section 235.193(5), this site was submitted to Miami-Dade County (County) for a determination of consistency with the Comprehensive Development Master Plan (CDMP). The County has determined that since the site is approximately three miles from the Urban Development Boundary (UDB), and therefore meets the criterion that middle schools be a half mile from the UDB, the site is consistent with the CDMP.

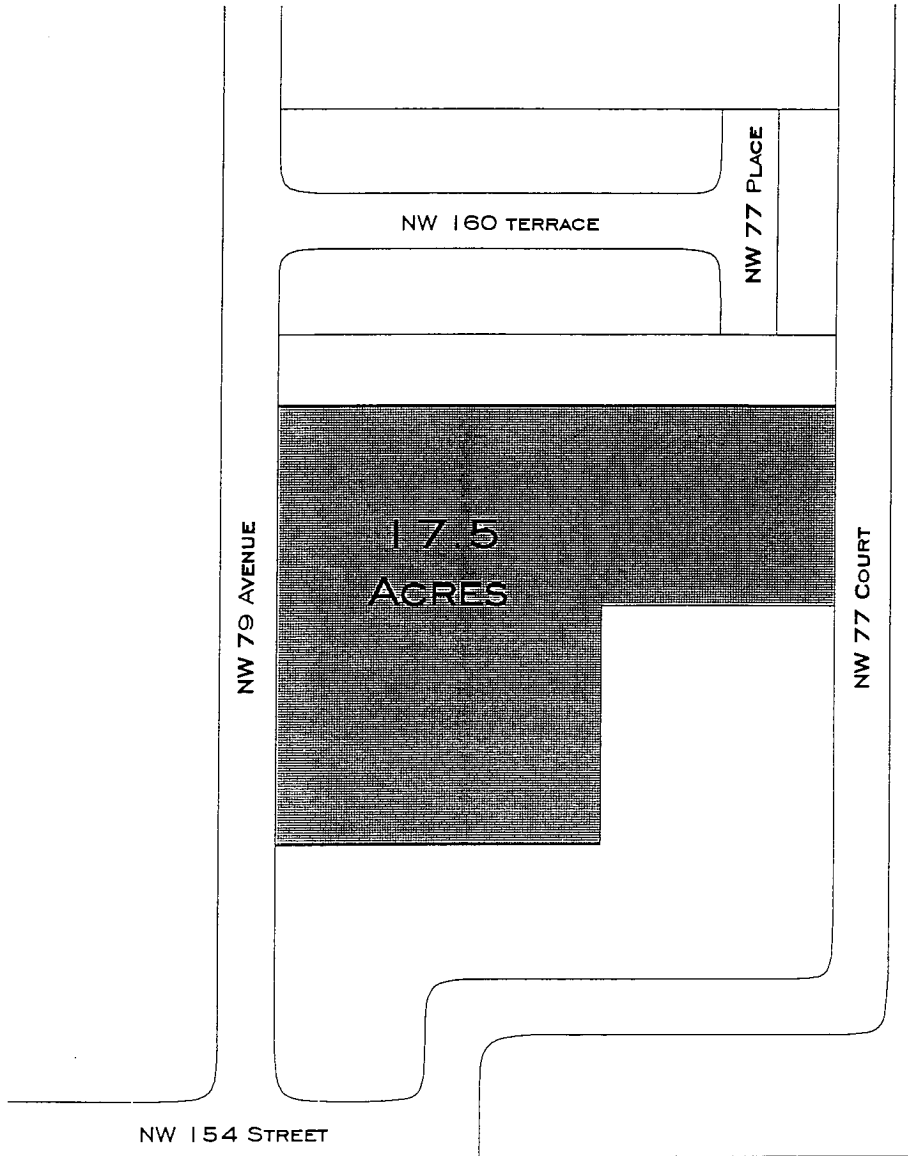
The Deputy Superintendent for School Operations and Region Superintendent for Region I recommend approval of this purchase. The proposed purchase and sale agreement will be reviewed by the School Board Attorney's Office.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize:


1. the Superintendent or his designee to execute a purchase and sale agreement for the purchase of the subject property at a price of \$130,000 per acre for the proposed site for State School "MM1," under the terms and conditions set forth above; and
2. the payment of an updated abstract or title commitment, environmental assessments, survey, and the requisite documentary stamps/surtax on the deed related to the purchase of the subject property.

TF:lbd

LOCATION MAP



LEGEND

 PROPOSED SITE FOR STATE SCHOOL "MM1"