

Business Operations
Ofelia San Pedro, Deputy Superintendent

SUBJECT: AUTHORIZATION TO PURCHASE APPROXIMATELY 11.3 ACRES OF VACANT LAND LOCATED AT SW 26 STREET AND SW 152 AVENUE, MIAMI, FLORIDA, PURSUANT TO THE TERMS AND CONDITIONS OF AN EXECUTED DECLARATION OF RESTRICTIONS IN CONNECTION WITH APPLICATION NO. 99-221, CELOMADING, S.A., TO SITUATE STATE SCHOOL "UU1"

COMMITTEE: FACILITIES MANAGEMENT

Background

As part of rezoning application No. 99-221, Celomading, S.A. (applicant), proffered a Declaration of Restrictions (Declaration) in February 2001, in favor of the School Board of Miami-Dade County, Florida (Board). Grand Lakes Development Corporation subsequently purchased the rezoned property which includes an approximate 16.4-acres located at SW 26 Street and SW 152 Avenue, Miami, Florida. The Declaration provides for the donation of 5.1-acres, over and above impact fees, and an option to purchase the remaining 11.3-acres (Site) by December of 2004, at fair market value, as determined in a District commissioned appraisal. Title to the donated 5.1-acre parcel transferred to the District on September 17, 2004. The present purchase will fulfill the balance of the terms of the Declaration.

It should be noted that as an added benefit, as part of the Declaration, the applicant has provided storm water retention and the required wetland mitigation fees for the entire 16.4-acre site, as well as paved road access and all utilities including water, sewer, electric and phone service lines, with no additional connection charges to the District.

Additional Information

In accordance with School Board Rule 6Gx13-2C-1.083, the School Site Planning and Construction Committee (SSPCC), at its June 2, 2004 meeting, considered the present acquisition and recommended that staff negotiate the purchase of the Site to build State School "UU1". State School "UU1" is currently proposed to relieve school overcrowding in the general area. Partial funding for the site purchase was allocated in the 2003-2004 fiscal year as part of the Five-Year Work Program. Additional funding is required as noted below. Funding for construction of State School "UU1" is proposed in FY 2005-2006. Based on input from ACCESS Center V staff, the SSPCC recommended that consideration be given to building this school as a K-8 facility, and this will be addressed further as part of the on-going process to revise the educational facilities work plan.

Due Diligence Results

Pursuant to the governing board rule, staff has completed all due diligence requirements for the Site as summarized below. A copy of the records will be submitted to the Board under separate cover and a copy placed with Citizen's Information.

- 1) Fair Market Value: The Site would be acquired at a cost of \$544,383 per acre (total purchase price of \$6,175,000). This value is based on two District commissioned appraisals and a review appraisal in accordance with State Law and the School Board Rule governing acquisition of property. The purchase price is located at the high end of the value range deemed supportable by the reviewing appraiser. The value range was \$5,930,000 to \$6,175,000.
- 2) Comprehensive Plan/Zoning Compliance: The Miami-Dade County Planning and Zoning Department has indicated that the Site is consistent with the Comprehensive Development Master Plan and is acceptable for use as a school.
- 3) Compliance with Airport Operations: The Miami-Dade Aviation Department has indicated the Site is compatible with airport operations and is located outside the no-school zone.
- 4) Determination of Historic or Cultural Resources: The Miami-Dade County Office of Historic Preservation indicated the Site had a medium to high probability of presence of archeological resources. However, as noted below, a subsequent environmental assessment of the property found no evidence of archeological resources.
- 5) Phase I and Phase II Environmental Audit:
 - a) A Phase I Environmental Assessment has been completed and indicated no evidence of recognized environmental conditions in connection with the historic or current use of the Site.
 - b) A Phase II Environmental Assessment including test pits and trenching revealed no evidence of buried debris and the consultant recommended that no further investigations be conducted in this regard. In addition, no evidence of archeological resources were discovered.
- 6) Jurisdictional Statements: The Miami-Dade County Department of Environmental Resources (DERM,) indicated a Class IV Wetlands Permit would be required and that jurisdictional wetlands were identified on the Site. This was also confirmed by the South Florida Water Management District. Additionally, DERM's Water Control Section advised that the Site is subject to water retention requirements. However, as noted above, the developer paid for all wetland mitigation fees, and has satisfied all water retention requirements, which means the full acreage is usable without additional mitigation.

Legal Description of the Site and closing costs

The legal description of the Site is attached hereto as Exhibit "A".

The District will be responsible to provide the Title Insurance Commitment and premium for the Title policy. The seller will be responsible for the survey and all other closing costs.

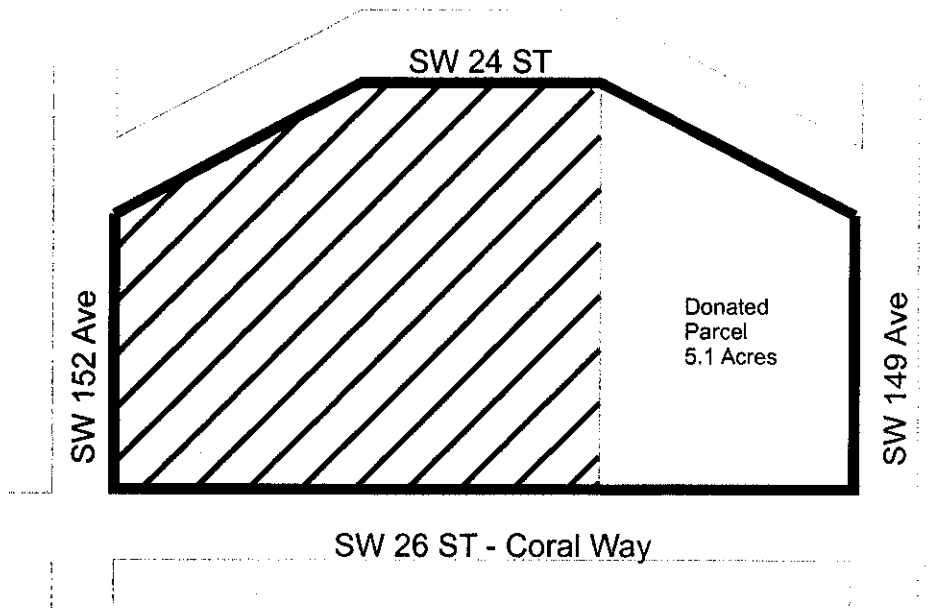
RECOMMENDED:

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


- 1) authorize the purchase of an 11.3-acre site located at SW 26 Street and SW 152 Avenue, Miami, Florida, from Grand Lakes Development Corporation, at a purchase price of \$6,175,000, and other terms and conditions set forth above, all in connection with Application No. 99-221, Celomading S.A.; and
- 2) authorize an amendment to the Five-Year Work Program to increase the site acquisition appropriation for this project from \$4,100,000, to 6,200,000, including closing costs.

JB:aj

LOCATION MAP



LEGEND

 Subject Site
11.3 Acres

NOT TO SCALE



Exhibit A

LEGAL DESCRIPTION

A portion of the SE 1/4 of Section 9, Township 54 South, Range 39 East, and being more particularly described as follows: COMMENCING at S.E. corner of SEC. 9-54-39; thence S87°43'39"W, for a distance 1755.32 feet along the South line of said SEC. 9-54-39; thence N02°15'02"W for a distance of 50.00 feet to the POINT OF BEGINNING.

Thence S87°43'40"W, for a distance of 824.04 feet to a point of curvature; thence northwesterly along a circular curve to the right having a radius of 25.00 feet, through a central angle of 90°01'24", for an arc distance of 39.28 feet to a point of tangency; thence N02°15'20"W, for a distance of 415.97 feet to a point of curvature; thence northeasterly along a circular curve to the right having a radius of 25.00 feet, through a central angle of 67°43'33", for an arc distance of 29.55 feet to a point of tangency; thence N65°28'13"E, for a distance of 368.39 feet to a point of curvature; thence easterly along a circular curve to the right having a radius of 235.00 feet, through a central angle of 22°15'20", for an arc distance of 91.28 feet to a point of tangency; thence N87°43'33"E, for a distance of 372.36 feet to a point of curvature; thence easterly along a circular curve to the right having a radius of 235.00 feet, through a central angle of 08°06'52", for an arc distance of 33.28 feet to a point; thence S02°15'02"E, for a distance of 618.07 feet to the POINT OF BEGINNING.

Containing 494,107.38 square feet or 11.3431 acres, more or less.

A portion of Folio Number: 30-4909-000-0050