

Financial Services  
Richard H. Hinds, Chief Financial Officer

**SUBJECT:**

1. **AWARD BID NO. 038-KK10 – SALE OF SCHOOL BOARD-OWNED PROPERTY, LOCATED AT 29 N.W. 13 STREET, MIAMI, FLORIDA, TO OMNI REDEVELOPMENT DISTRICT COMMUNITY REDEVELOPMENT AGENCY (OMNI CRA), SUBJECT TO APPROVAL BY THE OMNI CRA BOARD OF THE SALE OF A STRIP OF LAND APPROXIMATELY 41,818 SQUARE FEET TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR FUTURE EXPANSION OF I-395, AT SUCH TIME IT IS NEEDED BY THE FDOT;**
2. **CONTINGENT ON ITEM 1. ABOVE:**
  - A. **AUTHORIZE THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND EXECUTE A PURCHASE AND SALE AGREEMENT WITH OMNI CRA, FOR THE SALE OF THE SUBJECT SCHOOL BOARD-OWNED PROPERTY;**
  - B. **AUTHORIZE THE SUPERINTENDENT TO EXECUTE ANY OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE SALE OF THE SUBJECT SCHOOL BOARD-OWNED PROPERTY;**
  - C. **ADOPT RESOLUTION NO.10-056, DESIGNATING THE SCHOOL BOARD-OWNED PROPERTY, LOCATED AT 29 N.W. 13 STREET, MIAMI, FLORIDA, TO BE UNNECESSARY FOR EDUCATIONAL PURPOSES, SUBJECT TO THE SUCCESSFUL COMPLETION OF A REAL-ESTATE CLOSING FOR THE SALE OF THE SUBJECT PARCEL; AND**
  - D. **IN THE EVENT THAT A REAL-ESTATE CLOSING FOR THE SALE OF THE SUBJECT SCHOOL BOARD-OWNED PROPERTY IS NOT CONSUMMATED, RESCIND RESOLUTION NO. 10-056, DESIGNATING THE SUBJECT SCHOOL BOARD-OWNED PARCEL AS BEING UNNECESSARY FOR EDUCATIONAL PURPOSES**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

**LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY**

The Board, at its meeting of April 14, 2010, established the fair-market value of the School Board-owned property, located at 29 N.W. 13 Street, Miami, Florida, at \$3,000,000, and directed the Superintendent to issue a bid solicitation for the possible sale of same, in accordance with the process set forth in School Board Rule 6Gx13- 3B-1.092. The bid was issued on April 16, 2010, and two bids were received on May 11, 2010, one of which was determined to be non-responsive. The successful bidder is Omni Redevelopment District Community Redevelopment Agency (Omni CRA), which submitted a bid of \$3,100,101. The Omni CRA subsequently submitted a 10% good-faith deposit and is currently engaged in due diligence activities, as provided for in the bid. The due diligence period expires December 3, 2010, after which a real-estate closing can take place.

It should be noted that in response to input provided by the State of Florida Department of Transportation (FDOT) relative to the subject property in connection with the proposed future expansion of I-395 (road project), District, Omni CRA and FDOT representatives have collaborated to recognize the proposed FDOT project; specifically, subject to approval from the Omni CRA Board, at its meeting of November 18, 2010, the Omni CRA has agreed to sell to the FDOT a strip of land (strip of land) approximately 41,818 square feet in area at such time as it may be required by the FDOT in connection with the road project. The proposed agreement by and between FDOT and Omni CRA transmitted to District staff provides, in part, as follows:

*Closing Date. The closing date shall be 31 days after the Seller acquires the Miami Skills Center from the School Board (the "Closing Date"). The Buyer, in Buyer's sole discretion, may elect to extend the Closing Date by written notice to Seller at least five (5) days prior to the Closing Date, in which event the closing will occur on not less than fifteen (15) days written notice to the Seller at any time within five (5) years from the date Seller acquires the Miami Skills Center from the School Board. If the closing is delayed more than six (6) months, the Purchase Price shall be increased utilizing as an interest factor, the state fiscal year net average annual rate of interest paid on funds in the Florida Treasury Account administered by the Florida Department of Financial Services, or its successor from the original Closing Date until the date the closing actually occurs.*

The aforesaid agreement further provides for the Omni CRA to lease back the strip of land from the FDOT for nominal rent, until such time it is needed by FDOT for the road project. A copy of the proposed Purchase Agreement as well as the proposed Lease Agreement by and between the parties will be placed on file in the Citizen Information Center.

In compliance with Board Rule 6Gx13- 3B-1.092, the funds received from the sale of this property shall be placed in the appropriate part of the Board's budget and expended for capital outlay requirements of the Board.

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

1. Award Bid No. 038-KK10 – Sale of School Board-owned property, located at 29 N.W. 13 Street, Miami, Florida, to Omni Redevelopment District Community Redevelopment Agency (Omni CRA), subject to approval by the Omni CRA Board of the sale of a strip of land approximately 41,818 square feet to the State of Florida Department of Transportation (FDOT) for future expansion of I-395, at such time it is needed by the FDOT;
2. Contingent on item 1. above:
  - a. Authorize the Superintendent to finalize negotiations and execute a purchase and sale agreement with Omni CRA, for the sale of the subject School Board-owned property.
  - b. Authorize the Superintendent to execute any other documents necessary to effectuate the sale of the subject School Board-owned property;
  - c. Adopt Resolution No.10-056, designating the School Board-owned property, located at 29 N.W. 13 Street, Miami, Florida, to be unnecessary for educational purposes, subject to the successful completion of a real-estate closing for the sale of the subject parcel; and
  - d. In the event that a real-estate closing for the sale of the subject School Board-owned property is not consummated, rescind Resolution No. 10-056, designating the subject School Board-owned parcel as being unnecessary for educational purposes.

RHH/ae

**RESOLUTION NO. 10-056**

**A RESOLUTION OF THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA ("BOARD"), DETERMINING THAT CERTAIN BOARD-OWNED LAND IS UNNECESSARY FOR EDUCATIONAL PURPOSES**

**WHEREAS**, the Board owns and has under its jurisdiction certain land located at 29 NW 13 Street, Miami, consisting of approximately three (3) acres ("Site"), that is capable of being utilized in the best interest of the people of Miami-Dade County; and

**WHEREAS**, the Board, at its April 14, 2010 meeting, directed the Superintendent to issue a request for bids for the sale of the Site in accordance with the process set forth in Board Rule 6Gx13-3B- 1.092;

**WHEREAS**, the Board has awarded Bid No. 038-KK10 to the highest responsive responsible bidder, Omni Redevelopment District Community Redevelopment Agency, in the amount of \$3,100,101; and

**WHEREAS**, after due consideration and consultation, the Board has determined that the Site described in Exhibit 1 attached hereto, is unnecessary for educational purposes, subject to the successful completion of a real estate closing for the sale of the subject parcel, and the Site shall be sold to the highest responsive responsible bidder pursuant to Bid No. 038-KK10; and

**WHEREAS**, in the event that a real estate closing for the sale of the Site is not consummated, the designation of the Site as being unnecessary for educational purposes shall be automatically rescinded.

**NOW, THEREFORE, BE IT RESOLVED BY THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA THAT:**

SECTION 1. The above recitals are true and ratified and adopted by this reference.

SECTION 2. The School Board of Miami-Dade County, Florida, hereby designates the Site described in Exhibit 1 attached hereto as unnecessary for educational purposes, subject to the successful completion of a real estate closing for the sale of the subject parcel, and the Site shall be sold in accordance with Bid No. 038-KK10.

SECTION 3. In the event that a real estate closing for the sale of the Site is not consummated, the designation of the Site as unnecessary for educational purposes shall be automatically rescinded.

SECTION 4. This Resolution shall take effect immediately upon its passage.

ADOPTED this Twenty-fourth day of November, A.D., 2010

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

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Chair

ATTEST:

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Secretary

Exhibit 1  
to Resolution No. 10-056

**Description of The Site:**

**Location:** 29 NW 13 Street, Miami, FL (Miami-Dade County)  
**Folio:** 01-3136-009-0420  
**Legal description:** Legal description as per Exhibit "1-A" attached hereto.

Subject to: All conditions, restrictions, easements, zoning and other limitations of record, if any.

Exhibit "1-A"

All of Block 4 of the Subdivision of part of Government Lot 2, Section 36, Township 53 South, Range 41 East, as surveyed and Platted by George L. McDonald, C.E., for Alice Baldwin and others according to the Plat thereof recorded in Plat Book "A", at page 57, of the Public Records of Dade County, Florida, and that strip of land lying between said Block 4 of said Subdivision above described and the right-of-way of the Florida East Coast Railway Company, and also that strip of land lying between Lots 1 to 8, inclusive, and Lots 9 to 16 inclusive of said Block 4, the said property being bounded on the East by N.W. Miami Court (formerly Jones Avenue) on the South by Northwest 13th Street (formerly Lemon Street), on the North by Northwest 14th Street (formerly Waddell Street) and on the West by the right-of-way of the Florida East Coast Railway Company, lying and being in Miami-Dade County, Florida. Less and except that part of Lot 9, Block 4, Baldwin and Oxar Subdivision, according to Plat recorded in Plat Book A, Page 57, of the Public Records of Miami-Dade County, Florida, and that strip of lying between said Block 4 of the above-described subdivision and the Right-of-way of the Florida East Coast Railway Company, being more particularly described as follows:

Begin on the South line of Lot 9 at a point 37.53 feet, South  $87^{\circ} 46' 36''$  West from the Southeast corner thereof, thence South  $87^{\circ} 46' 36''$  West 94.97 feet along said South line to the Southwest corner of said Lot 9, thence South  $86^{\circ} 30' 26''$  West 49.62 feet to the Easterly right-of-way line of Florida East Coast Railway Company, thence Northerly 65.80 feet along said Easterly right-of-way line, thence South  $67^{\circ} 56' 40''$  east 157.32 feet to Point of Beginning.

and Less those lands described in that Warranty Deed, recorded August 29, 1986 in Official Records Book 13004, page 284.