

Business Operations
Facilities Planning
Ana Rijo-Conde, AICP, Administrative Director

SUBJECT: AUTHORIZATION TO EXECUTE A PURCHASE AND SALE AGREEMENT WITH PENTATHLON GROUP, LLC, FOR AN 8.832-ACRE PARCEL AND TO ACCEPT AN ADJACENT 6.168-ACRE PARCEL, LOCATED AT THE NORTHWEST CORNER OF S.W. 157 AVENUE AND S.W. 144 STREET, IN CONNECTION WITH PROPOSED STATE SCHOOL "YY1"

COMMITTEE: FACILITIES PLANNING AND CONSTRUCTION

At its August 21, 2002 meeting, the Board authorized staff to negotiate the purchase of an 8.832-acre option parcel located at the northwest corner of S. W. 157 Avenue and S. W. 144 Street, (see attached Board item) adjacent to a 6.168-acre parcel that will be donated by the owner, Pentathlon Group, LLC (Pentathlon), pursuant to a Declaration of Restrictions and subsequent modification thereto. The combined 15-acre site (see surveys attached) is proposed for State School "YY1". Pentathlon will transfer title to the 6.168-acre site no later than October 31, 2002, whether or not the 8.832-acre parcel is acquired by the Board.

In accordance with School Board Rule 6Gx13- 2C-1.083 and pursuant to negotiating parameters established by the School Site Planning and Construction (SSPC) Committee for the referenced 8.832-acre parcel, staff entered into negotiations with Pentathlon. The parameters were based on two appraisals and one review appraisal.

A purchase and sale agreement for the 8.832-acre parcel has been negotiated under the following terms and conditions:

- The purchase price shall be \$175,000 per acre totaling \$1,545,600. This price is at the low end of the range deemed by the review appraiser to be supportable, and well within the negotiation parameters recommended by the SSPC Committee;
- Satisfactory completion of remaining due diligence consisting of trenching;
- Pentathlon shall provide the Board with an updated Opinion of Title, subject only to matters (acceptable exceptions), which do not adversely affect marketability of title to the subject property or affect the ability of the Board to utilize and develop the

property for a public school with related facilities. The Board shall secure a title insurance policy on the 15-acre combined site, at its sole cost estimated at \$6,440;

- Pentathlon must provide the Board with an updated survey on the entire 15-acre site;
- Pentathlon shall convey title to both parcels (the 8.832 subject parcel and the 6.168-acre adjacent parcel), free and clear of all encumbrances on or before October 31, 2002;
- Pentathlon must comply with Section 196.295, Florida Statutes, concerning proration of real property taxes for the current year, which are not yet due and payable;
- Pentathlon shall be responsible for the payment of any and all outstanding taxes, special assessments or liens, if any.
- The Board shall be responsible for the payment of all closing costs for the combined 15-acre site, including recording fees; and
- In the event that environmental problems are discovered, the Board shall not be obligated to proceed with the purchase of the subject property.

The Managers of the Pentathlon Group, LLC are Michael Latterner and Carlos Emilio Martinez.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to:

1. Execute a purchase and sale agreement for the purchase of the subject 8.832-acre property at a price of \$1,545,600 (\$175,000 per acre) in connection with proposed State School "YY1", under the terms and conditions set forth above;
2. Accept the conveyance of the 6.168-acre adjacent parcel at no cost to the Board, pursuant to a recorded Declaration of Restriction and subsequent modification thereto; with transfer of title to take place no later than October 31, 2002. The property is valued at \$1,020,000 (\$165,369.64 per acre);
3. Secure title insurance for the combined 15-acre site, at an estimated cost of \$6,440; and
4. Pay all closing costs for the combined 15-acre site, including recording fees.

VGv:hf



Business Operations
Facilities Planning
Ana Rijo-Conde, AICP, Administrative Director

SUBJECT: AUTHORIZATION TO NEGOTIATE FOR THE PURCHASE OF AN APPROXIMATE 8.8-ACRE PARCEL OF LAND FOR PROPOSED STATE SCHOOL "YY1" LOCATED AT SW 157 AVENUE AND SW 144 STREET

COMMITTEE: FACILITIES PLANNING AND CONSTRUCTION

Background

At its March 13, 2002 meeting, the Board authorized staff to explore the feasibility of the purchase of an approximate 8.8-acre option parcel (subject land) located adjacent to a 6-acre parcel, which will be donated by Pentathlon Group, LLC, pursuant to a recorded Declaration of Restrictions, and subsequent modifications thereto (Attachment A). Pentathlon Group, LLC, shall convey title of the 6-acre parcel to the School Board no later than October 31, 2002; the School Board must elect to purchase and close on the approximate 8.8-acre option on or before that date. The combined approximate 15-acre site is located on the northwest corner of S.W. 157 Avenue and S.W. 144 Street and is being proposed for State School "YY1". Funding for construction is proposed in fiscal year 2005-06.

Analysis

In accordance with School Board Rule 6Gx13- 2C-1.083 and Chapter 235, Florida Statutes, an informational packet was presented to the Technical Review (TR) Committee on May 1, 2002 for review. In its advisory capacity, the TR Committee authorized staff to continue pursuing this site and conduct additional due diligence, to include but not be limited to appraisals and environmental assessments. Subsequently on July 23, 2002, staff presented negotiation parameters and recommendations to the TR Committee based on two independent appraisals and a review as required by board rule.

Recommendations made by the TR Committee were subsequently presented to the School Site Planning and Construction (SSPC) Committee on August 7, 2002. Upon review, the SSPC Committee in turn recommended presenting the subject site to the School Board for authorization to negotiate the acquisition, based on specific negotiating parameters and subject to completion of pending due diligence. Should negotiations be successful, an agenda item for authorization to execute a purchase and sale agreement will be presented to the Board at the next available meeting.

Additional Information

As noted in the March 2002 report to the Board, staff undertook and completed additional due diligence as required by the governing board rule. An update follows:

1. Determination of Historic or Cultural Resources: A written response was pending as of August 9, 2002.
2. Jurisdictional statements: Both the South Florida Water Management District and the Department of Environmental Resources Management (DERM) have indicated that the site does not contain wetlands. Additionally, DERM's Water Control section has indicated that no water retention is required (see Attachment B).
3. Phase I and limited Phase II Environmental Audits: The audits indicated that based on site inspections and physical and analytical assessments of test results, it is evident that the grounds in the tested area have not been adversely impacted by the prior farm activities on site and that, therefore, no further assessment is warranted at this time (see Attachment C). However, in an abundance of caution, the School district's Department of Safety, Environmental and Hazards Management has recommended trenching to confirm the absence of any contamination. This will occur in tandem with the negotiation process.

Legal Description of Subject Land

A portion of the E ½, of the E ½, of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc. Under File No. SD-136 A.J. and based on that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Dade County, Florida and being more particularly described as follows:

Commence at the agreed E ¼ corner of said Section 20, based on aforesaid "Agreed Final Judgment"; thence S86deg21min57secW, along the agreed South Line of the North ½, of the East ½, of the East ½, of said Section 20, based on aforesaid "Agreed Final Judgment", for 673.33 feet; thence N02deg27min12secW for 404.42 feet to the Point of Beginning of hereinafter described Parcel of Land; thence continue N02deg27min12sec@ for 577.04 feet; thence N88deg08min59secE for 672.71 feet; thence S02deg29min02secE, along the East Line of the Northeast ¼ of said Section 20, for 566.56 feet; thence S87deg15min27secE for 672.99 feet to the Point of Beginning.

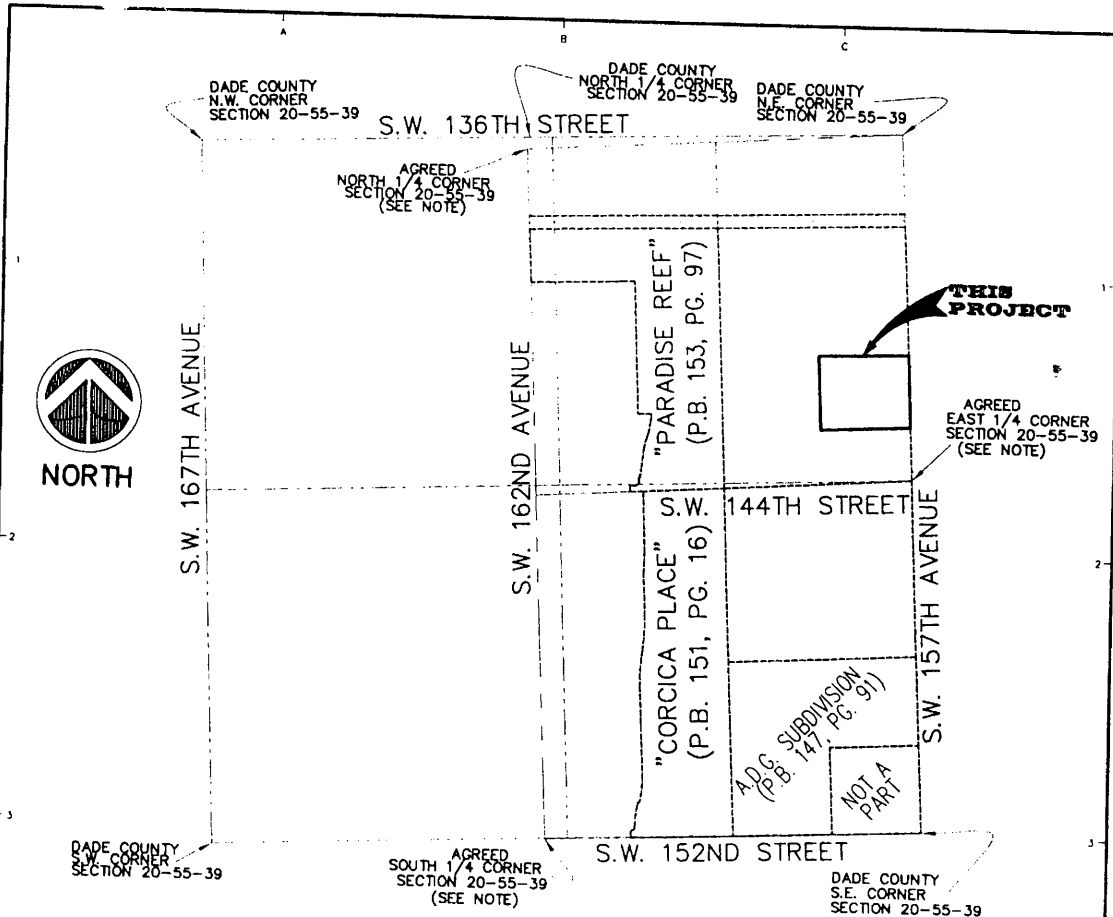
All of the above described land situated, being and lying in Miami-Dade County, Florida and containing 384,721.783 square feet and/or 8.832 acres more or less.

The Managers of the Pentathlon Group, LLC are Michael Latterner and Carlos Emilio Martinez.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to negotiate for the purchase of an approximate 8.8-acre parcel of land located at the northwest corner of SW 157 Avenue and SW 144 Street, for proposed State School "YY1", pursuant to negotiating parameters as recommended by the School Site Planning and Construction Committee, and subject to completion of pending due diligence.

VGv:hf



LOCATION MAP
SECTION 20-55-39
MIAMI DADE COUNTY, FLORIDA
(NOT TO SCALE)

SURVEYOR'S NOTES:

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and Bearing shown hereon are based on an assumed value of N02deg29deg02W along the East line of the N.E. 1/4 of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional Restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County. Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) The Sketch and Legal Description shown herein is based on the information provided by the Client.
- 6) No Title research has been performed to determine if there are any conflicts existing or arising out of the creation of the easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.

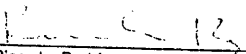
SURVEYOR'S CERTIFICATE:

I Hereby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Ford, Armenteros & Manucy, Inc. L.B. 6557.


Date: MAY 15, 2002.
Revision Date: JUNE 8, 2002.
(LEGAL FOR GROSS AREA)

By: 
Ricardo Rodriguez, P.S.M., For the Firm
Professional Surveyor and Mapper
State of Florida, Registration No. 5936

MILON VENTURE - SCHOOL SITE (8.832 ACRES)



FORD, ARMENTEROS & MANUCY, INC.
1950 N.W. 94th AVENUE, 2nd FLOOR
MIAMI, FLORIDA 33172
PH. (305) 477-6472
FAX (305) 470-2805

TYPE OF PROJECT	SKETCH AND LEGAL DESCRIPTION		
SHEET NAME	LOCATION MAP AND SURVEYOR'S NOTES		
PREPARED FOR	MICHAEL LATTERNER		
DRAWN BY	R. RODRIGUEZ	DATE	MAY 15, 2002.
CHK. CHECKED BY		SCALE	NO TO SCALE
CHECKED BY		PROJECT No.	99-343-1006
		SHEET	1

LEGAL DESCRIPTION

A portion of the East 1/2, of the East 1/2, of Section 20, Township 55 South, Range 39 East, Miami-Dade County, Florida, in accordance with that survey prepared by Schwebke-Shiskin & Associates, Inc. Under File No. SD-136 A.J. and based on that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044 of the Public Records of Dade County, Florida and being more particularly described as follows:

COMMENCE at the agreed East 1/4 Corner of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT"; thence S86deg21min57secW, along the agreed South Line of the North 1/2, of the East 1/2, of the East 1/2, of said Section 20, based on aforesaid "AGREED FINAL JUDGEMENT", for 673.33 feet; thence N02deg27min12secW for 404.42 feet to the POINT OF BEGINNING of the hereinafter described Parcel of Land; thence continue N02deg27min12secW for 577.04 feet; thence N88deg08min59secE for 672.71 feet; thence S02deg29min02secE, along the East Line of the Northeast 1/4 of said Section 20, for 566.56 feet; thence S87deg15min27secW for 672.99 feet to the POINT OF BEGINNING.

All of the above described land situated, being and lying in Miami-Dade County, Florida and containing 384,721.783 Square Feet and/or 8.832 Acres more or less.

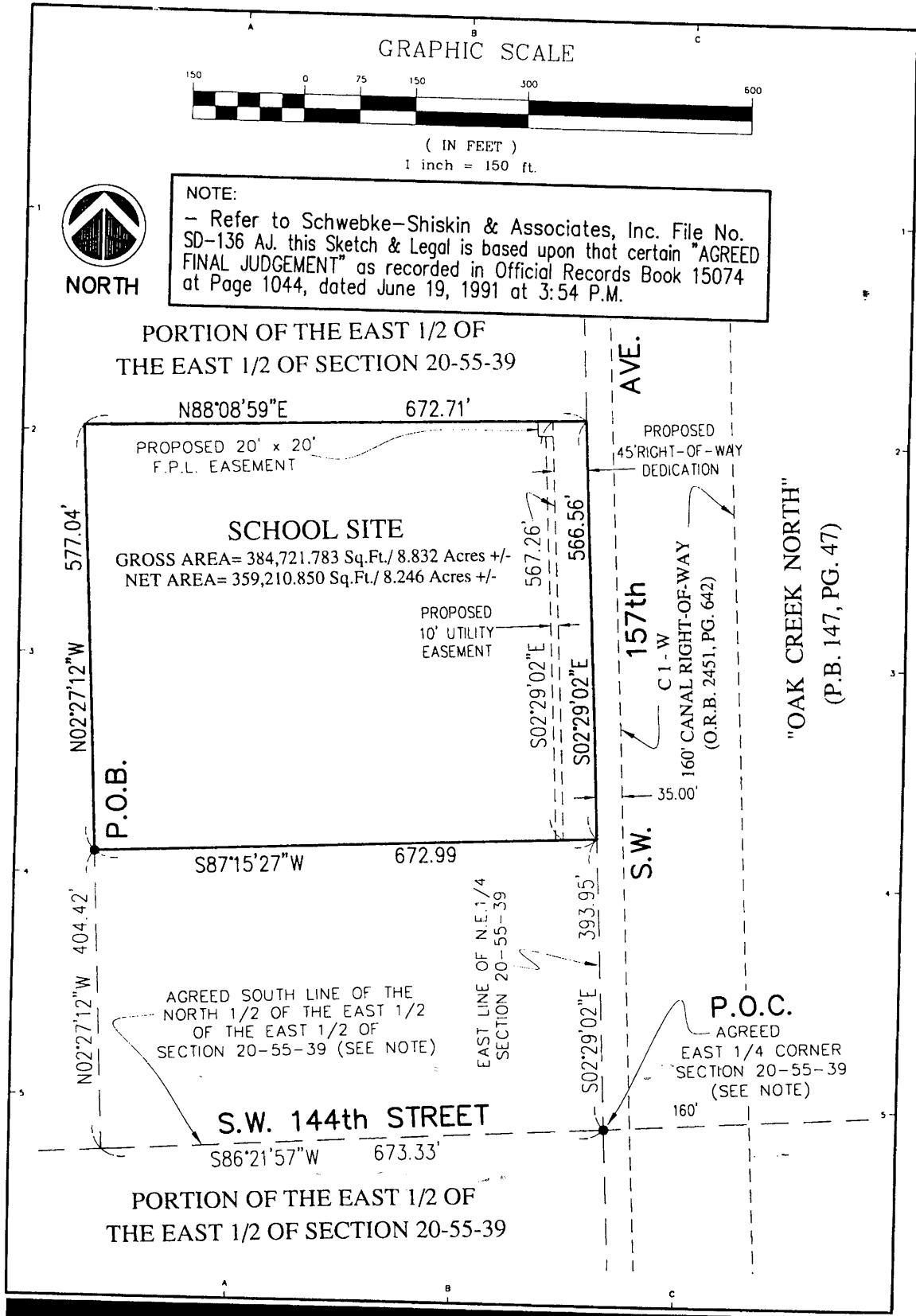
NOTE:
 - Refer to Schwebke-Shiskin & Associates, Inc. File No. SD-136 Adj. this Sketch & Legal is based upon that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044, dated June 19, 1991 at 3:54 P.M.


MILON VENTURE - SCHOOL SITE (8.832 ACRES)

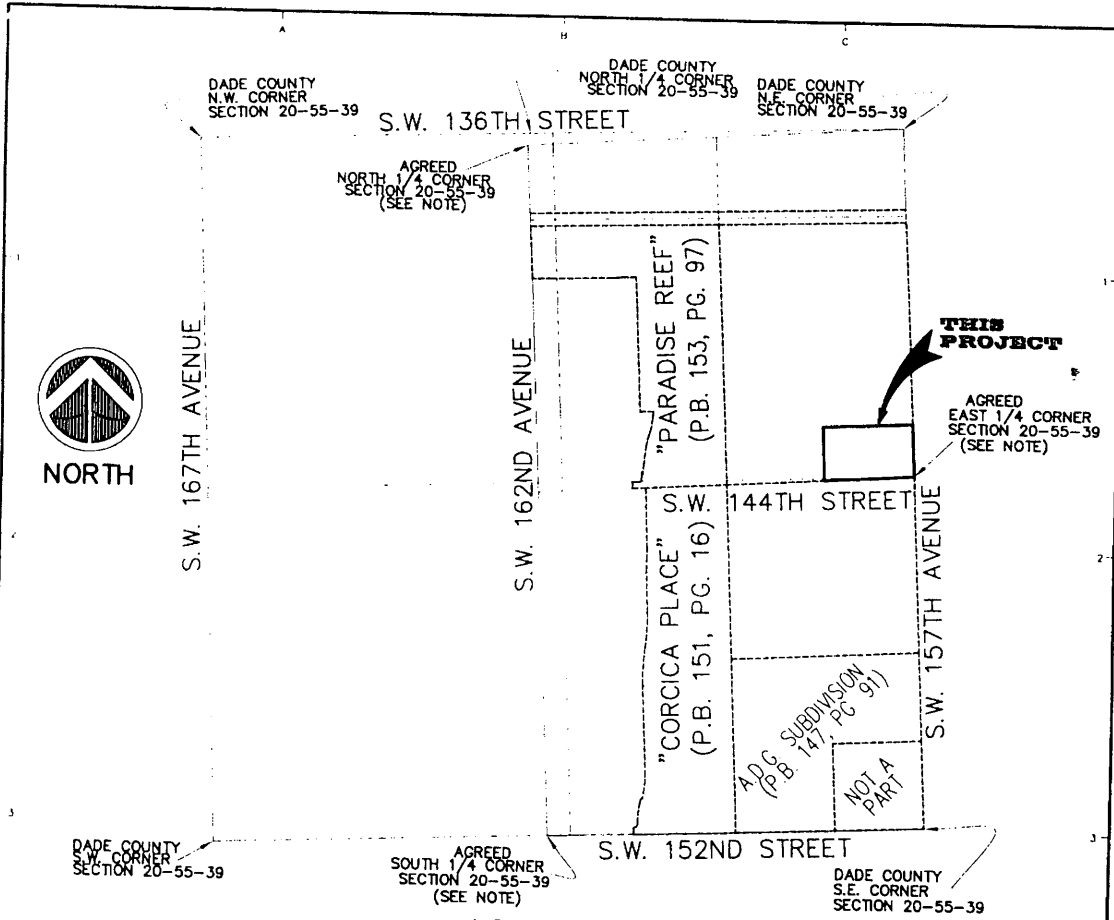


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TYPE OF PROJECT		SKETCH AND LEGAL DESCRIPTION	
SHEET NAME		LEGAL DESCRIPTION TO ACCOMPANY SKETCH	
PREPARED FOR		MICHAEL LATERNER	
DRAWN BY	R. RODRIGUEZ	DATE	MAY 15, 2002
DATE CHECKED BY		SCALE	N/A
CHECKED BY		PROJECT No.	99-343-1006



MILON VENTURE - SCHOOL SITE (8.832 ACRES)																						
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LOCATION MAP
SECTION 20-55-39
MIAMI-DADE COUNTY, FLORIDA.
(NOT TO SCALE)

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I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Ford, Armenteros & Manucy, Inc. L.B. 6557

Revision Date: JUNE 8, 2002.
(LEGAL FOR GROSS AREA)

By: Ricardo Rodriguez, P.S.M., For the Firm
Professional Surveyor and Mapper
State of Florida, Registration No. 5936

MILON VENTURE - SCHOOL SITE (6.168 ACRES)



FORD, ARMENTEROS & MANUCY, INC.
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FAX (305) 470-2805

TYPE OF PROJECT:	SKETCH AND LEGAL DESCRIPTION		
SHEET NAME:	LOCATION MAP AND SURVEYOR'S NOTES		
PREPARED FOR:	MICHAEL LATTENER		
DRAWN BY:	R. RODRIGUEZ	DATE:	MAY 15, 2002
DWG CHECKED BY:	<i>(Signature)</i>	SCALE:	NO TO SCALE
CHECKED BY:	<i>(Signature)</i>	PROJECT No:	99-343-1006

1
of 3 SHEETS

LEGAL DESCRIPTION

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All of the above described land situated, being and lying in Miami-Dade County, Florida and containing 268,685.755 Square Feet and/or 6.168 Acres more or less.

NOTE:

- Refer to Schwebke-Shiskin & Associates, Inc. File No. SD-136 AJ. this Sketch & Legal is based upon that certain "AGREED FINAL JUDGEMENT" as recorded in Official Records Book 15074 at Page 1044, dated June 19, 1991 at 3:54 P.M.

MILON VENTURE - SCHOOL SITE (6.168 ACRES)

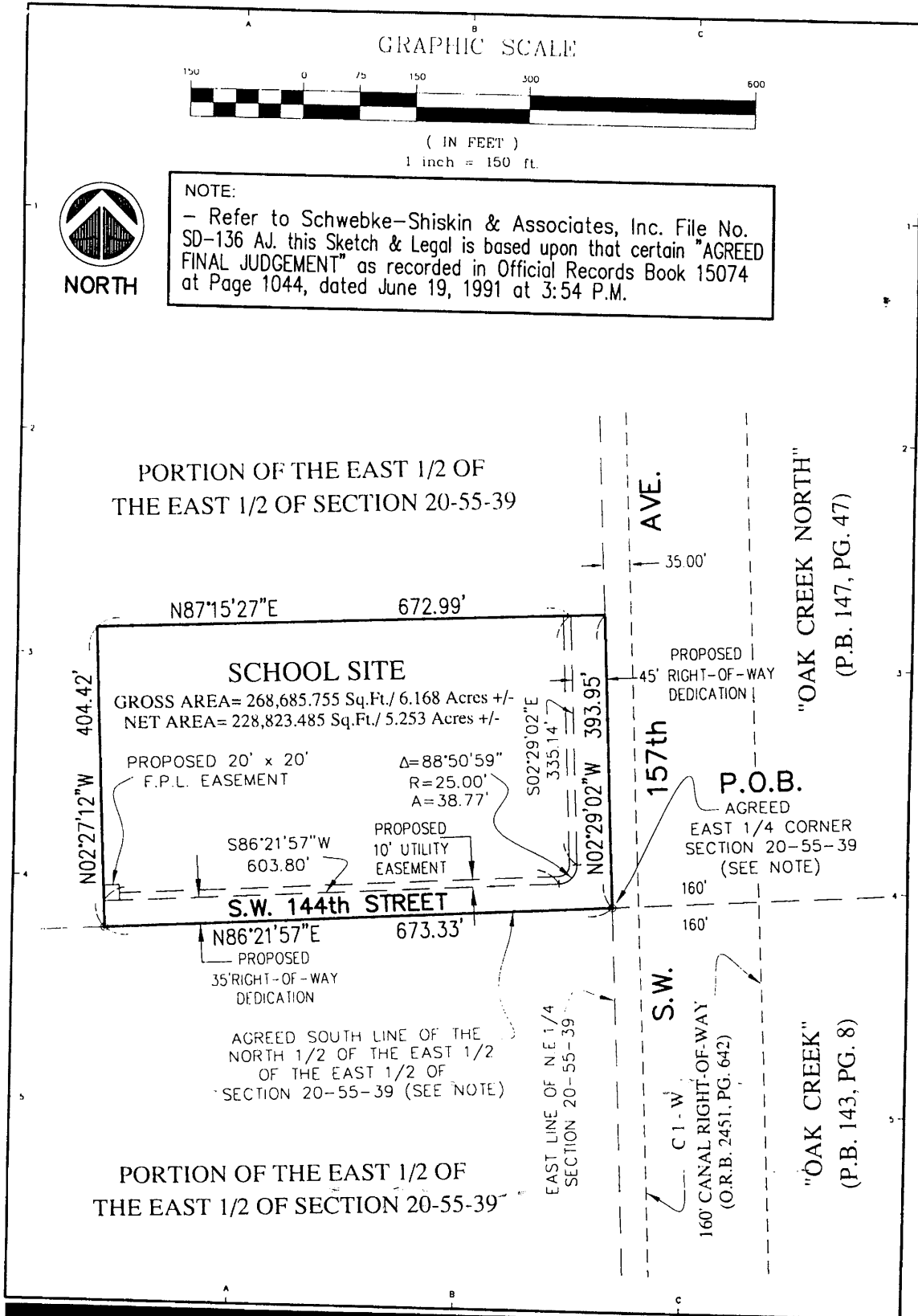


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DWG. CHECKED BY:		SCALE: N/A
CHECKED BY:		PROJECT No: 99-343-1006

2

of 3 SHEETS



MILON VENTURE - SCHOOL SITE (6.168 ACRES)

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