

RESOLUTION NO. 06- 372

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA ACCEPTING THE CONVEYANCE OF A PARCEL OF LAND KNOWN AS FDOT PARCEL NO. 3323 LOCATED AT NW 169th TERRACE AND 89th COURT IN THE TOWN OF MIAMI LAKES FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”); APPROVING THE CONDITIONS IMPOSED BY FDOT FOR THE CONVEYANCE; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT FDOT’S CONDITIONS; AUTHORIZING THE TOWN MAYOR TO EXECUTE ALL DOCUMENTS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN CLERK TO RECORD ALL DOCUMENTS REQUIRED FOR THE ACQUISITION OF THE PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation (“FDOT”) has agreed to convey to the Town of Miami Lakes (the “Town”) for a public purpose a parcel of land located at NW 169th Terrace and 89th Court, known as FDOT Parcel No. 3323 (the “Property”), within the Town and currently owned by FDOT; and

WHEREAS, FDOT has agreed to convey the Property to the Town subject to certain conditions; and

WHEREAS, the Town Council agrees to the conditions stipulated by FDOT as part of the conveyance of the Property; and

WHEREAS, the Town Council finds that the acceptance of Property subject to the conditions stipulated by FDOT is in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and are incorporated herein by this reference.

Section 2. Acceptance of Property. The Town accepts the conveyance of the Property from FDOT.

Section 3. Approval of Conditions. The conditions for the conveyance of the Property known as FDOT Parcel No.3323, located at NW 169th Terrace and 89th Court in the Town of Miami Lakes as set forth in FDOT's conditional conveyance letter to the Town dated October 12, 2005, a copy of which is attached as Exhibit "A," are approved.

Section 4. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney are authorized to take all actions necessary to implement all the conditions for the conveyance of the FDOT Property to the Town.

Section 5. Execution of Documents. The Town Mayor is authorized to execute an agreement with FDOT on behalf of the Town and to execute any required agreements and/or any other documents required to implement the terms and conditions of an agreement for the acquisition of the FDOT property, subject to the approval as to form and legality by the Town Attorney.

Section 6. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager pursuant to the Town's Purchasing Procedures Ordinance, the Town Manager is authorized to expend budgeted funds to effectuate the acquisition and subsequent maintenance and operation of the Property.

Section 7. Recording. The Town Clerk is directed to record the appropriate acquisition documents and to provide a certified copy of this Resolution to the Miami-Dade

County Property Appraiser requesting that the Property be exempted from the Miami-Dade County Tax Roll.

Section 8. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 14th day of February, 2006.

Motion to adopt by Mary Collins, second by Roberto Alonso.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Robert Meador	<u>absent</u>
Councilmember Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>absent</u>

Wayne Slaton
Wayne Slaton
MAYOR

ATTEST:

Debra Eastman
Debra Eastman, MMC
TOWN CLERK

Approved as to form and legality for the use and benefit of the Town of Miami Lakes only:

Weiss, Serota, Helfman, Pastoriza
Cole & Boniske, P.A.
TOWN ATTORNEY



Florida Department of Transportation

RIGHT OF WAY ADMINISTRATION – DISTRICT SIX

1000 NW 111 AVE ROOM 6116
MIAMI, FLORIDA 33172
PHONE 305-470-5150 / SC 429-5150
FAX: 305-499-2340 / SC 429-2340

JEB BUSH
GOVERNOR

DENVER J. STUTLER, JR.
SECRETARY

October 12, 2005

Mr. Alex Rey, Town Manager
Town of Miami Lakes
6853 Main Street
Miami Lakes, FL 33014

SUBJECT: FDOT SURPLUS PROPERTY CONDITIONAL CONVEYANCE

Applicant : Town of Miami Lakes
Item/Segment No. : 2515061
State Project No. : 87075-2402
Federal Project No. : 0754 044 I
County : Miami-Dade
State Road No. : SR-93/I-75
RWMS No. : 3323

Dear Mr. Rey:

This letter serves to confirm that the Florida Department of Transportation (FDOT) has agreed to convey to the Town of Miami Lakes for a public purpose, a parcel of land located at: NW 169 Terrace and NW 89 Court, in Miami Lakes, known as FDOT Parcel No. 3323. The conveyance will be subject to the following conditions:

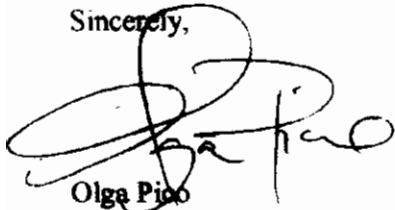
- The Town of Miami Lakes has to have funded in its existing Capital Improvement Plan (CIP) the proposed public use for any future improvements on this property.
- If the property is not currently within the Town's CIP plan, a reverter condition will be included in the conveyance document stating the improvement has to be funded in the City's CIP within a year of purchase or the property will revert back to FDOT, for sale by public bid.
- If the property is not used for the stated public purpose within five years of transfer, it will revert back to FDOT.

Mr. Alex Rey, Town Manager
Town of Miami Lakes
Page 2

As this parcel was acquired with Federal Aid Funds, the Department is required to obtain concurrence from Federal Highway Administration (FHWA) prior to the sale. Please provide the Department with a written response if the Town of Miami Lakes agrees to the terms listed above and is still interested in acquiring this parcel for a public purpose.

If you need any additional information, I can be reached at 305-470-5340.

Sincerely,

A handwritten signature in black ink, appearing to read 'Olga Pico', written over a circular stamp or seal.

Olga Pico
Property Management Agent

cc: Paul Wilson, File