



NORTH MIAMI PLANNING COMMISSION AGENDA

Tuesday, September 2, 2014, 7:00PM

Council Chambers

776 NE 125th Street, North Miami, FL 33161

I. ASSEMBLY AND ORGANIZATION:

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call of Board Members
- D. Amendments to the Agenda

II. APPROVAL OF MINUTES: July 1, 2014

III. COMMUNICATIONS: None

IV. CONTINUED PUBLIC HEARINGS: None

V. PUBLIC HEARINGS:

PC 09-14: **A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, , FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY IDENTIFIED BY MIAMI-DADE COUNTY FOLIO NO. 06-2219-000-1620, AS FURTHER IDENTIFIED BY THE MAP IN THE ATTACHED EXHIBIT "A", AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, FOR THE PURPOSE OF ENVIRONMENTAL REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

- 1. Staff Report
- 2. Commission Action

PC 10-14: **A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT, CLOSURE AND SALE OF CITY OWNED UNIMPROVED PARCELS OF LAND CONSISTING OF APPROXIMATELY 2,248 AND 5,247 SQUARE FEET, RESPECTIVELY, INCLUDING A 20 FEET WIDE ALLEYWAY CONSISTING OF 7,613 SQUARE FEET, LYING SOUTH OF LOTS 1, A AND B, OF BLOCK 13 BISCAYNE HIGHLANDS SUBDIVISION, AND ADJACENT TO LOTS 7 THROUGH 13; AND FURTHER AUTHORIZING THE**

CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PROPERTY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE CONVEYANCE OF THE SUBJECT PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

1. Staff Report
2. Commission Action

- VI. COMMITTEE REPORTS:** None
- VII. OLD BUSINESS:** None
- VIII. NEW BUSINESS:**
- a. Miami-Dade County Climate Change Report
 - b. City of North Miami's Climate Change Award
- IX. ADJOURNMENT**

Interested parties may appear at the meeting and be heard with respect to the matter. Any person wishing to appeal the recommendations of the Planning Commission will need a verbatim record of the meetings proceedings, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286.0105 F.S.)

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Community Planning & Development Department no later than four (4) days prior to the proceeding. Telephone (305) 893-6511, Ext. 12252, for assistance. If hearing impaired, telephone our TDD line at (305) 893-7936 for assistance.

MINUTES
 NORTH MIAMI PLANNING COMMISSION
 7:00 P.M.
 TUESDAY, JULY 1, 2014
 COUNCIL CHAMBERS

The meeting was called to order at 7:00 p.m. After the pledge of allegiance, a roll call of the members was taken.

	Name	Present	Excused	Absent
1.	Kevin Seifried	X		
2.	Charles Ernst	X		
3.	Kenny Each	X		
4.	Jean Castor		X	
5.	Jason James		X	
6.	Bill Prevatel	X		
7.	<i>Vacant</i>			
8.	<i>Vacant</i>			
9.	<i>Vacant</i>			

Staff was represented by:

Bhairvi Pandya, City Planner
 Roland Galdos, Deputy City Attorney
 Kent Walia, CP & D Intern
 Dunia Sanzetenea, Information Technology

I-D. Assembly and Organization – Amendments to the Agenda: None

II. Approval of Minutes:

The minutes of the June 3, 2014 meeting were unanimously approved. The motion was made by Commissioner Ernst, seconded by Commissioner Prevatel.

III. Communications: None

IV. Continued Public Hearings: None

V. Public Hearings:

Public Hearing:

No one spoke at the public hearing.

Commission Discussion:

Commissioner Each moved to approve proposed Land Development Regulations Development Design Standards through the City ordinance. Commissioner Ernst seconded the motion and Commissioner Prevatel denied the motion. Ordinance passed 3 to 1.

Regarding the topic of the bicycle parking requirements no decision was made.

Commissioner Prevatel motioned the item, and Commissioner Chair Seifried seconded the other two commission members noted nay the item but it was dismissed on a 2/2 vote.

Commissioner Each moved to approve the Land Development Regulations (LDR) regarding gravel driveways be brought up to code. Commissioner Ernst seconded the motion and it passed 3 to 1.

The next meeting was tentatively set for September 1, 2014.

VI. COMMITTEE REPORTS: None

VII. OLD BUSINESS: None

VIII. NEW BUSINESS:

- a) Passing of former Planning Commission member, Mr. Bill Succoup

Item A was introduced by the Commission Council Chair Seifried who shared memories of former Board of Adjustment commission member and Planning Commission member Bill Succoup and expressed condolence for the former board member.

- b) Discussion regarding recently adopted Ordinance 1370 requiring Planning Commission member terms to be coterminous with terms of City Council members.

Item B was introduced by the Chair. Commissioner Prevatel questioned the recently adopted Ordinance 1370 requiring Planning Commission members to be coterminous with terms of City Council members. Commissioner Prevatel discussed his concern specifically regarding item D of the adopted Ordinance 1370 Sec 2-202 specifically the first sentence. The first sentence of the Ordinance 1370 Sec 2-202 A states: *Removal*. The (3) affirmative votes of the City Council shall be required in order to remove a commission member, and no cause need be shown for removal. Commissioner Prevatel said that it is written differently on Sec 2-402 D of Ordinance 1370. The first sentence of Ordinance 1370 Sec 2-402 D states: *Removal*. Members can be removed from office by three-fifths (3/5) vote by city council. Commissioner Prevatel proposed that the language should be similar in both sections and should include in each item that one member of the (3/5) or 3 commission member votes should include the commission member that nominated said council member that is being voted out. Commissioner Prevatel expressed his opinion that this will prevent council members from ganging up on certain council members.

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared O.V. FERBEYRE, who on oath says that he or she is the VICE PRESIDENT, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF NORTH MIAMI - PLANNING COMMISSION
AGENDA FOR SEPTEMBER 2, 2014

in the XXXX Court,
was published in said newspaper in the issues of

08/21/2014

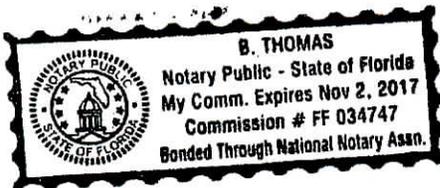
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

21 day of AUGUST, A.D. 2014

(SEAL)

O.V. FERBEYRE personally known to me



NORTH MIAMI PLANNING COMMISSION AGENDA TUESDAY, SEPTEMBER 2, 2014, 7:00PM COUNCIL CHAMBERS 776 NE 125TH STREET, NORTH MIAMI, FL 33161

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FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PROPERTY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE CONVEYANCE OF THE SUBJECT PROPERTY, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

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8/21

14-4-231/2334481M

Date: September 2, 2014

To: Planning Commission

From: Bhairvi Pandya, AICP, City Planner,
Community Planning & Development *BP.*

Re: Proposed Vacation and Abandonment of Right of Way and City-owned unimproved parcels

A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT, CLOSURE AND SALE OF CITY OWNED UNIMPROVED PARCELS OF LAND CONSISTING OF APPROXIMATELY 2,248 AND 5,247 SQUARE FEET, RESPECTIVELY, INCLUDING A 20 FEET WIDE ALLEYWAY CONSISTING OF 7,613 SQUARE FEET, LYING SOUTH OF LOTS 1, A AND B, OF BLOCK 13 BISCAYNE HIGHLANDS SUBDIVISION, AND ADJACENT TO LOTS 7 THROUGH 13; AND FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PROPERTY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE CONVEYANCE OF THE SUBJECT PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

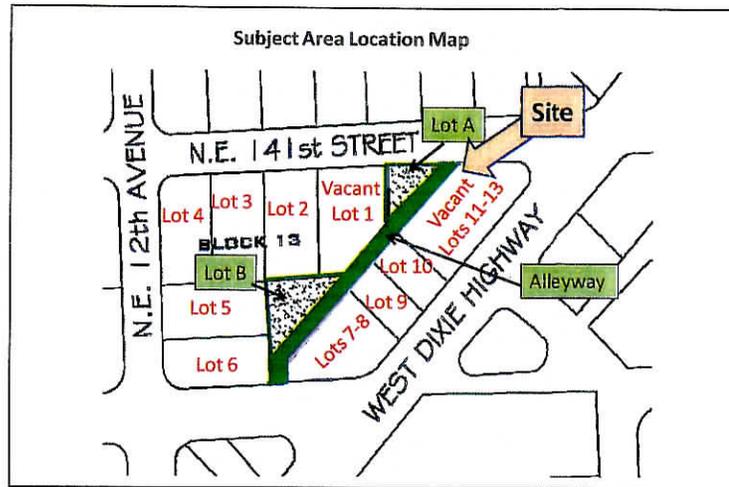
RECOMMENDATION

Staff requests that Planning Commission recommend approval of the Resolution with conditions, for the vacation, abandonment, closure and sale of a City owned unimproved parcels of land totaling 15,108 square feet [in size and forward said request to City Council for final approval.

BACKGROUND INFORMATION

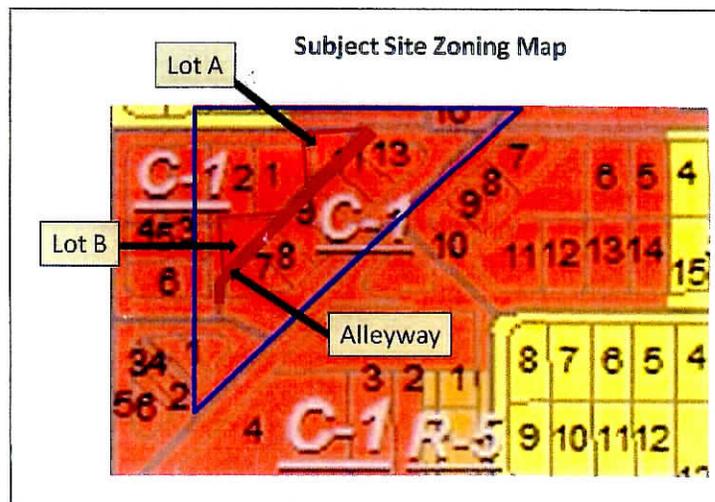
Co-applicants , WDHY, LLC owner of lots 1, 11, 12, 13 and West Dixie LLC. owner of lots 7, 8, 9 and 10 with property addresses at 14090 West Dixie Highway are jointly requesting the vacation, abandonment and closure of City-owned alleyway and two abutting triangular parcels of unimproved land totaling approximately 15,108 square feet (or 0.35 acres) in size that includes: 2,248 square feet (identified as Lot A), 5,247 square feet (identified as Lot B) and a 20 feet wide alleyway measuring over 380 feet in length and consisting of 7,613 square feet, lying south of lots 1, A and B, of block 13 Biscayne Highlands subdivision, and adjacent to lots 7 through 13 (see attached survey for details). The co-applicants are in the process of communicating with the third property owner (adjacent to the southern corner of the alleyway) at 1211 NE 140 ST with folio 06-2219-015-2370 (identified as Lot 6) in order to obtain a no

objection statement to abandonment application in order to obtain the entire width of the alleyway. See diagram below for proposed abandonment.



PURPOSE & ANALYSIS

The adjacent lots 7, 8, 9 and 10 currently contain an old commercial shopping center. However the adjacent lots numbered 1, 11, 12 and 13 are currently vacant. Also, lots 5 and 6 contain single family homes. It is important to note that although the properties west of the subject area contain primarily single family units they are considered non-conforming since the underlying land use designation of the entire block within the Biscayne Highlands subdivision is Commercial and the zoning is C-1. To that end, based on the current land use and zoning in place the proposed request is consistent with the City's Comprehensive Plan which designates that area for Commercial use. See zoning diagram below.



Due to the triangular configuration of commercial lands along the West Dixie corridor, future redevelopment efforts are hindered as a result of the limited land area and absence of adequate parking. As such, the co-applicants are requesting that the City abandon the subject alleyway and unimproved area in order to consolidate these lands with the commercially zoned parcels and utilize the overall site for a new commercial development with sufficient parking; needed to support the future proposed commercial development planned on the lots 1, 11, 12 and 13 (see proposed site plan). More specifically per the applicant's letter of intent, vacant lot A is anticipated to be a new commercial development of approximately 15,000 square feet. Vacant lot B is planned to be used for improving parking for its current shopping center. The applicants have also stated that all new parking will meet the code requirements and consideration may be given to a cross parking agreement if needed.

The subject site is currently unimproved, underutilized and serves no specific public purpose. Section 3-903 of the City's Land Development Regulation contains uniform procedures that govern the abandonment of streets, alleyways and easements within the City of North Miami. Such requests must be made in writing and accompanied by applicable fees. It should be noted that all requests for abandonment of City owned rights of ways require the appraisal and sale of the proposed rights of way segments to the City prior to final conveyance of said lands. Based on the recent appraisal report dated July 28, 2014 by the City's Real Estate Appraiser (MTO Realty Inc.) the subject area is valued at \$83,000. City regulations require that the sale of City owned land shall be no less than 90% of the appraised value. As such, the applicant has offered to pay the City \$74,700 as compensation for the value of the subject area.

Section 3-903 of the City's Land Development Regulations requires that all requests for street abandonment meet the following minimum criteria:

Provides some benefit to the public health, safety, welfare or convenience, but the overall benefit anticipated to result from the vacation or abandonment outweighs the specific benefit derived from the non fee property interest, in that:

a. The purpose of the interest sought to be vacated or abandoned will be adequately and appropriately served in an alternative manner when the interest is vacated or abandoned;

Staff is of the opinion that the subject area is currently unimproved and serves no specific public purpose. If approved, the abandonment will allow the applicant to acquire and maintain the area for a proposed commercial development and parking lot. Furthermore staff believes the overall benefit anticipated from the proposed abandonment far outweighs the benefit derived from the current use.

b. The vacation or abandonment will not compromise the delivery of emergency services;

The City's staff reviewed the proposed site plan and does not believe the current request would compromise emergency services as currently the alleyway is not utilized for emergency services and it does not have the appropriate turning radius for emergency vehicles to operate. Also if the proposed abandonment is approved, the emergency vehicles will access the proposed development through current right-of-ways namely West Dixie Highway and NE 140th Street.

c. The vacation or abandonment will not compromise pedestrian or vehicular safety;

The proposed abandonment area generally lies between single family homes and the existing commercial shopping strip center. As a result there is no issue for pedestrian access behind private homes or in the service delivery area of the shopping center. Thus the proposed abandonment will not compromise pedestrian or vehicular safety.

d. The vacation or abandonment will not interfere with solid waste removal services;

Staff has confirmed that the proposed request will not interfere with solid waste removal services.

e. The vacation or abandonment will not frustrate any comprehensive plan, special purpose plan or capital improvement program of the city;

There is no future use contemplated for the subject area in the City's comprehensive plan, special purpose plan or capital improvement program.

f. The vacation or abandonment will not interfere with any planning effort of the city that is underway at the time of the application but is not yet completed; and

There are no planning efforts anticipated for the proposed roadway segment or adjacent unimproved parcels.

g. The vacation or abandonment will provide a material public benefit in terms of promoting development or redevelopment of abutting property, removing blighting influences or improving the city's long-term fiscal position.

The co-applicants are proposing significant improvements to the site. Per the letter of intent vacant lot A is anticipated to be part of a new commercial development of approximately 15,000 square feet. Vacant lot B is planned to be used for improving parking for its current shopping center. If approved, the unimproved lots together with the alleyway will support the future development of the block as a whole.

B. The proposed vacation or abandonment will be accomplished in accordance with all applicable standards of local, state and federal authorities.

The roadway abandonment request is subject to review and final approval by the City Council.

C. The proposed vacation or abandonment will promote development or redevelopment that will maintain or enhance the character of the surrounding area.

The City is committed to redevelopment, promoting and improving the appearance of commercial neighborhoods. In fact Policy 9.4.2 of the City's Comprehensive Plan states "Introduce employment generating uses along major transportation corridors." Staff believes the proposed abandonment further implements the Comprehensive Plan vision and will result in much needed improvements to the area.

CONCLUSION

Based on staff's review the proposed request meets the requirements of Section 3-903 of the City's LDR. Staff is of the opinion that although the City-owned unimproved land areas and alleyway currently allows for public access, if approved, the abandonment will not have a major impact on local traffic since the subject areas solely serves the eight (8) abutting commercial lots. Furthermore staff believes the overall benefit anticipated resulting from the proposed City-owned unimproved land and alleyway abandonment far outweighs the benefit derived from the current use.

Since the property is currently unimproved and vacant, the current request would activate the site and create an opportunity to support the proposed redevelopment. The proposed abandonment will also allow the property owners to consolidate the lots and redevelop the site into a viable commercial business that will generate new employment and enhance the aesthetics of the area. In fact the only lots that would benefit from the current configuration would be the adjacent and abutting lots that are owned by the applicant.

As such, staff believes the current request meets the requirements of Section 3-903 of the City's Land Development Regulations and recommends approval of the proposed resolution subject to the following conditions:

1. That the applicant agrees to work with City Manager to finalize negotiations for the sale of the subject area proposed for abandonment at an amount no less than 90% of the appraised value of \$83,000 (i.e. \$74,700) consistent with the City's Charter.
2. That the City effectuates the conveyance by virtue of a Deed.

3. That the property owners execute a covenant and unity of title to consolidate the lots in addition to the abandoned land areas. Said instrument meeting the approval of the Community Planning and Development Department and the office of the City Attorney. Both instruments to be recorded by the applicant in the public records of Miami-Dade County with copies furnished to the Community Planning and Development Department within forty five (45) days of Council approval.
4. That the applicant shall obtain a letter of no objection from the third property owner (adjacent to the southern corner of the alleyway) at 1211 NE 140 ST with folio 06-2219-015-2370 to the proposed abandonment and waives their right to their half of the 20 ft wide alleyway before Council approval.

TWS/ bp

Attachments:

1. Proposed Resolution
2. Exhibit A – Legal sketch and Survey
3. Letter of Intent
4. Appraisal
5. Acceptance letter for compensation
6. Site Plan

RESOLUTION NO. _____

A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT, CLOSURE AND SALE OF CITY OWNED UNIMPROVED PARCELS OF LAND CONSISTING OF APPROXIMATELY 2,248 AND 5,247 SQUARE FEET, RESPECTIVELY, INCLUDING A 20 FEET WIDE ALLEYWAY CONSISTING OF 7,613 SQUARE FEET, LYING SOUTH OF LOTS 1, A AND B, OF BLOCK 13 BISCAYNE HIGHLANDS SUBDIVISION, AND ADJACENT TO LOTS 7 THROUGH 13; AND FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PROPERTY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE CONVEYANCE OF THE SUBJECT PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, Chapter 29, Article 3, Division 9 of the City of North Miami (“City”) Code of Ordinances (“LDRs”), provides a uniform procedure for the vacation, abandonment and sale of City-owned properties as it pertains to parcels, streets, alleyways, and easements; and

WHEREAS, pursuant to Section 3-903C of the LDRs, the City is desirous of supporting vacations or abandonments that will promote development or redevelopment to maintain or enhance the character of the surrounding area, while having a positive fiscal impact on the City; and

WHEREAS, WDHY 140, LLC and 14020 West Dixie LLC (the “Applicants”), have requested the abandonment, vacation and sale of unimproved City-owned unimproved parcels of land, consisting of approximately 2,248 and 5,247 square feet, respectively, including a 20 feet wide alleyway consisting of 7,613 square feet, lying south of Lots 1, A and B, of Block 13 Biscayne Highlands Subdivision and adjacent to Lots 7 through 13, as specifically identified by Miami-Dade County folio numbers: 06-2219-015-2380; 06-2219-015-2390; 06-2219-015-2400;

06-2219-015-2410; and 06-2219-015-2320 ("Subject Property"), in order to improve parking conditions and to create new, quality commercial development needed in the area; and

WHEREAS, in accordance with Section 3-902 of the LDRs, the City obtained an appraisal report from a licensed Real Estate Appraiser dated July 28, 2014, showing the value of the Subject Property at Eighty Three Thousand Dollars (\$83,000.00); and

WHEREAS, the Planning Commission, after a duly noticed public hearing held on September 2, 2014, reviewed the proposed abandonment application and found that the request established the standards of Section 3-903 of the LDRs and is in harmony with the goals, objectives and policies of the Comprehensive Plan; and thereby recommended approval to the Vice Mayor as acting Mayor and City Council; and

WHEREAS, the Vice Mayor as acting Mayor and City Council of the City of North Miami find the proposed vacation, abandonment, closure and sale of the Subject Property, to be in the best interest of the City and hereby accept the Planning Commission's recommendation for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Vacation, Abandonment, Closure and Sale of Parcels and Alleyway.

The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby approve the vacation, abandonment, closure and sale of City owned unimproved parcels of land consisting of approximately 2,248 and 5,247 square feet, respectively, including a 20 feet wide alleyway consisting of 7,613 square feet, lying south of Lots 1, A and B, of Block 13 Biscayne Highlands Subdivision, and adjacent to Lots 7 through 13, as described in the attached "Exhibit A".

Section 2. Authority of City Manager to Sell and Convey Parcels and Alleyway.

The Vice Mayor as acting Mayor and Council of the City of North Miami, Florida, hereby

authorize the City Manager to negotiate the sale of the subject property, in accordance with Chapter 29, Article 3, Division 9, City of North Miami Code of Ordinances, Land Development Regulations, and to take all necessary steps to effectuate conveyance of the subject property.

Section 3 **Effective Date.** This Resolution will become effective upon adoption.

PASSED AND ADOPTED by a _____ vote of the Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, this _____ day of _____, 2014.

PHILIPPE BIEN-AIME
VICE MAYOR AS ACTING MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Vice Mayor as Acting Mayor Philippe Bien-Aime
Councilperson Marie Erlande Steril
Councilperson Carol Keys, Esq.
Councilperson Scott Galvin

_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)

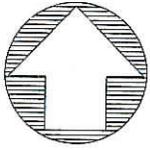
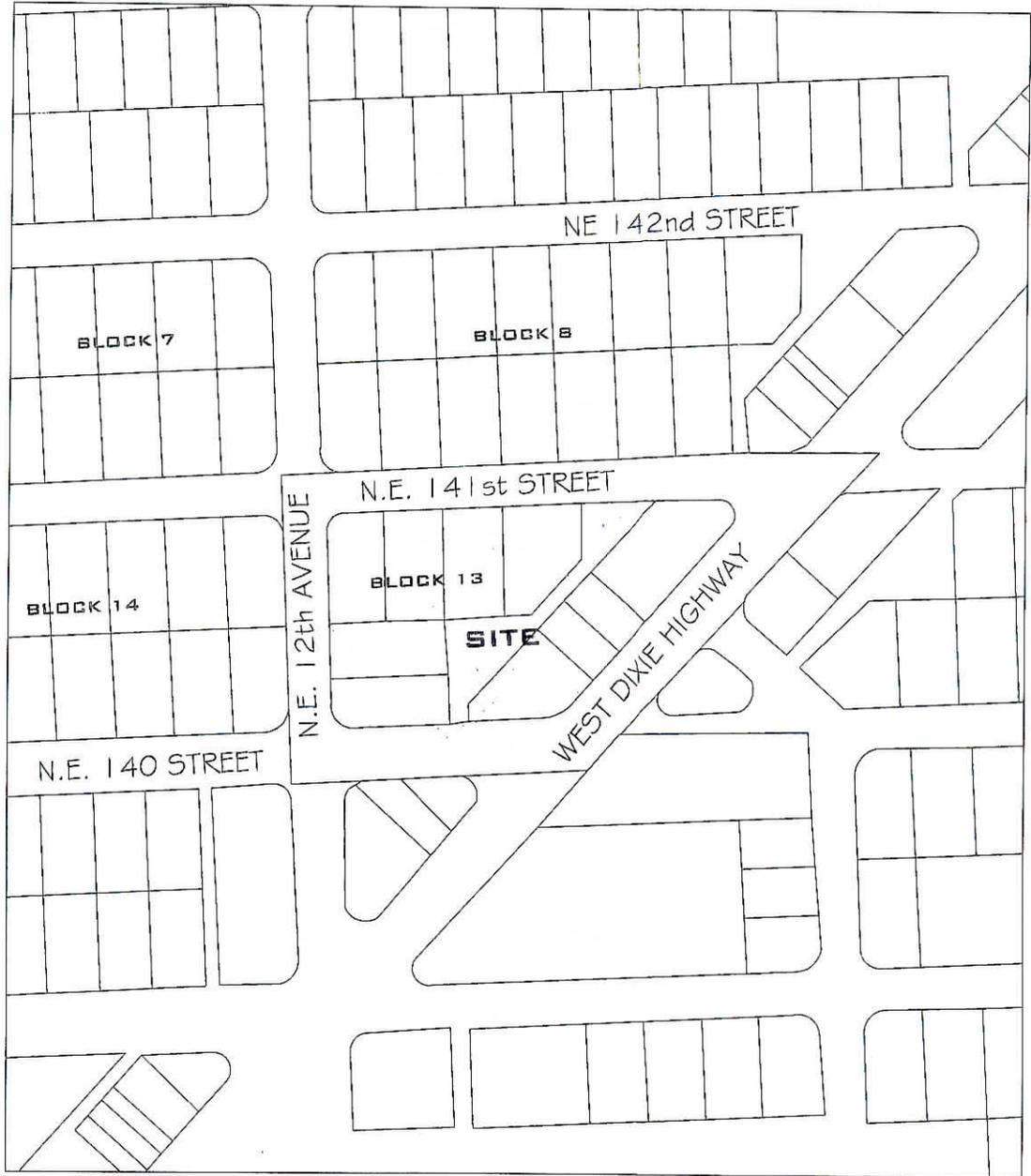


EXHIBIT "A"

LOCATION SKETCH

NOT TO SCALE!



SURVEYORS NOTE:

- THIS IS NOT A "BOUNDARY SURVEY" BUT ONLY A LOCATION SKETCH OF THE DESCRIPTION SHOWN HEREON.

PROFESSIONAL SURVEYORS AND MAPPERS

1470 N.W. 107th AVENUE, SUITE 1
MIAMI, FL 33172

PHONE: (305) 556-4002 FAX: (305) 556-4003
EMAIL: LANDMARKSURVEYING@HOTMAIL.COM

WWW.LMSURVEYING.COM



LB No. 7633

DATE:	06-18-2014
SCALE:	NOT TO SCALE
DRAWN BY:	J.FEE
JOB No.	1402-041
SHEET:	2 OF 3

EXHIBIT "A"

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN BLOCK 13 OF "BISCAYNE HIGHLANDS" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46 AT PAGE 26 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 6 BLOCK 13 OF "BISCAYNE HIGHLANDS" AS RECORDED IN PLAT BOOK 46, AT PAGE 26 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 6 AND THE EASTERLY LINE OF LOT 5 OF SAID BISCAYNE HIGHLANDS FOR A DISTANCE OF 140.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 5 SAID NORTHEAST CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 2 BLOCK 13 OF SAID BISCAYNE HIGHLANDS, THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 2 AND THE SOUTH LINE OF LOT 1 BLOCK 13 OF SAID BISCAYNE HIGHLANDS FOR A DISTANCE OF 102.40 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 BLOCK 13, THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 1 BLOCK 13, FOR A DISTANCE OF 102.34 FEET; THENCE NORTH ALONG THE EASTERLY PROPERTY LINE OF LOT 1, BLOCK 13 FOR 66.92 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 BLOCK 13 OF BISCAYNE HIGHLANDS, AS RECORDED IN PLAT BOOK 46, AT PAGE 26; THENCE EASTERLY ALONG THE PROLONGATION OF THE NORTH LINE OF LOT 1, BLOCK 13 FOR A DISTANCE OF 95.40 FEET TO THE MOST NORTHERLY NORTHWEST CORNER OF LOT 13 OF BLOCK 13, THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF LOTS 7 THRU 13 OF BLOCK 13 FOR A DISTANCE OF 352.87 FEET TO THE SOUTHWESTERLY MOST NORTHERN POINT OF LOT 7 BLOCK 13 OF BISCAYNE HIGHLANDS; THENCE SOUTH ALONG THE WESTERLY LINE OF LOT 7 BLOCK 13 FOR A DISTANCE OF 29.50 FEET TO THE SOUTHWESTERLY CORNER OF LOT 7 BLOCK 13; THENCE WESTERLY ALONG THE PROLONGATION OF THE SOUTH LINE OF LOT 7 BLOCK 13 FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SURVEYORS NOTE:

- THIS SITE LIES IN THE SOUTH $\frac{1}{2}$ OF SECTION 20 AND THE SOUTHEAST $\frac{1}{4}$ OF SECTION 19. TOWNSHIP 52 SOUTH, RANGE 42 EAST, CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA.
- THIS IS NOT A "BOUNDARY SURVEY" BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
- DIMENSIONS INDICATED ARE BASED ON PLAT BOOK 46 OF PAGE 26 AS RECORDED IN MIAMI-DADE COUNTY, FLORIDA



LB No. 7633

PROFESSIONAL SURVEYORS AND MAPPERS
1470 N.W. 107th AVENUE, SUITE 1
MIAMI, FL 33172

PHONE: (305) 556-4002 FAX: (305) 556-4003
EMAIL: LANDMARKSURVEYING@HOTMAIL.COM
WWW.LMSURVEYING.COM

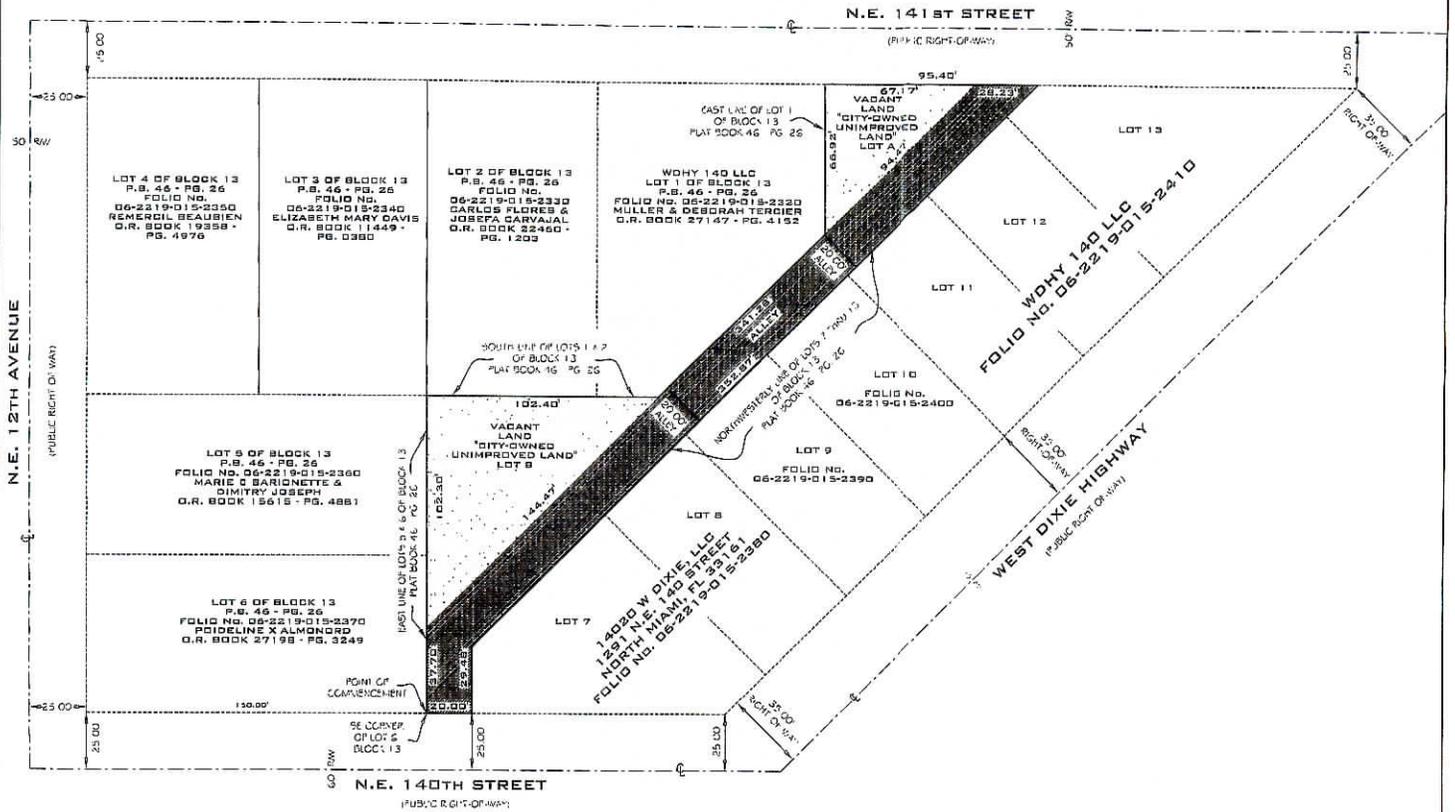
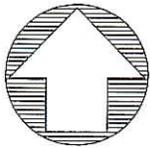
CERTIFICATION:

SURVEYOR'S CERTIFICATION: I HEREBY CERTIFY THAT THIS "SPECIFIC PURPOSE" IS A TRUE AND CORRECT REPRESENTATION OF A SKETCH PREPARED UNDER MY DIRECTION. THIS COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS, AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

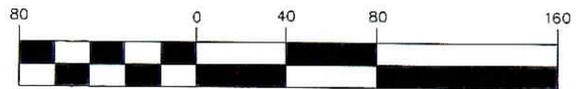
SIGNED *Ernesto E. Espinosa* FOR THE FIRM
ERNESTO E. ESPINOSA P.S.M. No. 2945-STATE OF FLORIDA
NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SIGNATURE AND AUTHENTICATED
ELECTRONIC SEAL AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A LICENSE SURVEYOR AND MAPPER.

DATE:	06-18-2014
SCALE:	1" = 80'
DRAWN BY:	J.FEE
JOB No.	1402-041
SHEET:	1 OF 3

EXHIBIT "A"



GRAPHIC SCALE



(IN FEET)

1 inch = 80 ft.

SURVEYORS NOTE:

- LOT A = 2,248 sq. ft. OR 0.052 ACRES MORE OR LESS
- LOT B = 5,247 sq. ft. OR 0.120 ACRES MORE OR LESS
- 20' ALLEY = 7,613 sq. ft. OR 0.175 ACRES MORE OR LESS
- TOTAL SQUARE FOOTAGE = 15,108'
- THIS IS NOT A "BOUNDARY SURVEY" BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
- DIMENSIONS INDICATED ARE BASED ON PLAT BOOK 46 OF PAGE 26 AS RECORDED IN MIAMI DADE COUNTY, FLORIDA

PROFESSIONAL SURVEYORS AND MAPPERS

1470 N.W. 107th AVENUE, SUITE 1
MIAMI, FL 33172

PHONE: (305) 556-4002 FAX: (305) 556-4003
EMAIL: LANDMARKSURVEYING@HOTMAIL.COM

WWW.LMSURVEYING.COM



[LB No. 7633]

DATE:	06-18-2014
SCALE:	1" = 100'
DRAWN BY:	J.FEE
JOB No.	1402-041
SHEET:	3 OF 3



Alley Abandonment - Letter of Intent

June 4th, 2014

Revised August 20th, 2014

SKLARchitecture
2310 Hollywood Boulevard
Hollywood, FL 33020

City of North Miami
Community Planning and Development
12400 NE 8th Avenue
North Miami, FL 33161

To Whom It May Concern:

This is a letter of intent to accompany our request for alley abandonment for the alley directly behind the properties located to the west of 14020 West Dixie LLC folio # 06-2219-015-2380, 06-2219-015-2390, 06-2219-015-2400, 06-2219-015-2320, and adjacent to the property with Folio # 06-2219-015-2370 and the vacant land labeled as Lot B behind 14020 West Dixie Highway as well as Lot A on the attached survey behind the corner of 141 street and West Dixie highway with folio # 06-2219-015-2410.

Request for City Abandonment:

1. Land Lot A: Total of 2,248sq..ft.
 2. Land Lot B: Total of 5,247sq.ft.
 3. Alley Land: Total of 7,613 sq.ft.
- Grand Total= 15,108sq.ft.**

Statement of Compatibility:

By obtaining the alley and adjacent unused city properties lots A & B, the clients intend to improve parking and also create a new commercial development.

These properties are adjacent to one another. The owner of the vacant parcel with legal description identified as lots 1, 11,12 & 13 is WDHY, LLC and the owner of lots 7, 8, 9, and 10,14020 West Dixie LLC, have applied jointly for this Abandonment. Together they look to improve the neighborhood with new quality commercial uses that are needed in the area.

Vacant Lot A is anticipated to be a New Commercial Development of approximately 15,000sq.ft.

ARCHITECTURE
Commercial
& Residential

Interior
Architecture
& Design

Urban
Renovation

Architectural
Design of
Children's
Environments

Development
Consulting

2310 Hollywood Blvd.

Hollywood

Florida 33020

Tel: 954.925.9292

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em:il:
mail@sklarchitect.com

WEBSITE:
www.sklarchitect.com

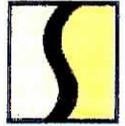
AA 0002849

IB 0000894

NCARB CERTIFIED



Ari Sklar, A.I.A.
Oscar Sklar, A.I.A.



Vacant Lot B is planned to be used for improving the parking for its current center.

Parking:

All new parking will meet the code requirements for any new development and may consider a cross parking agreement if needed.

Minimum Impact and Positive Effect:

Closing this alley would have a positive effect on the area. The alley is not essential for primary access to any separately owned parcel of land along it, it is only used by these two property owners. As a result there will be minimal impact on its use. The responsibility of alley maintenance would no longer be the City of North Miami responsibility. The closing of this alley would further the City's overall objective of creating more efficient land use arrangements.

I request that you accept this application and allow the clients to continue with the abandonment request.

Thank you for your consideration in this matter,

Should you have any questions please do not hesitate to contact us,

Sincerely,

Ari L. Sklar, AIA, NCRB

President

CC: Gabriel Boano, WDHY LLC

Alberto Dayan, 14020 W. DIXIE LLC

Appraisal Report #61420



Land Appraisal Report in Summary Format

As Of:
July 28, 2014

Owner:
The City of North Miami

PROPERTY LOCATED AT:

M/L Alleyway and two abutting triangle shaped lots west of West Dixie Highway between NE 141 Street and NE 140 Street, North Miami, FL.

Prepared for:

Ms. Bhairvi Pandya, AICP, GSIP
City Planner/Planning & Zoning Supervisor
Community Planning & Development Dept
City of North Miami, 12400 NE 8th Avenue
North Miami, FL 33161

Prepared By:

José A. Ortega
State Certified General Real Estate Appraiser RZ
1247

Connie Nappier III
State Certified Residential Real Estate Appraiser
RD 2360



MTO Realty Inc
1393 SW 1 Street, 205. Miami, FL 33135
305-856-3866



July 28, 2014

Ms. Bhairvi Pandya, AICP, GSIP
City Planner/Planning & Zoning Supervisor
Community Planning & Development Dept
City of North Miami, 12400 NE 8th Avenue
North Miami, FL 33161

RE: Appraisal Report #61420

Appraisal presented in a summary report format for land located at M/L Alleyway and two abutting triangle shaped lots between NE 141 Street and NE 140 Street, North Miami, FL .

Owner: The City of North Miami

Dear Ms. Pandya:

As requested, we have prepared an appraisal of the property referenced above, per the terms agreed upon in the Letter of Engagement. The appraisal is presented in a Summary Report format developing an opinion of the market value of the Fee Simple estate in the above referenced real property inspected as of July 28, 2014, subject to vacation and abandonment.

In order to carry out this assignment, a market study of real estate activity in the vicinity of the subject property has been conducted. This investigation included the collection and analysis of sales, offerings, and other developments which have occurred in the area in the recent past. The sources of this data included the Miami-Dade County records, our own data bank, other real estate brokers and appraisers, and knowledgeable individuals active in the area.

This appraisal has been completed in accordance with (a) all Federal banking regulations (primarily OCC Regulation 12 CFR Part 34, FDIC Regulation 12 CFR Part 323 and Title XI of the Financial Institution Reform, Recovery Enforcement Act of 1989 ("FIRREA"), and (b) the Uniform Standards of Professional Appraisal Practices and Conduct ("USPAP") as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

The opinions of value, as well as every other element of this appraisal, are qualified in their entirety by the Assumptions and Limiting Conditions, Certification, and definitions, which are set forth in the report.

The subject Alleyway and two abutting triangle shaped lots that contain a total area of M/L 15,108 SF described as a parcel of land lying in block 13 of "Biscayne Highlands" according to the plat thereof as recorded in Plat Book 46 at Page 26 of the public records of Miami-Dade County, Florida. Topography of the site is level and the underlying land use designation is Commercial and the zoning is C-1 (as per survey by Landmark Surveying & Associates, Inc.)

M/L Alleyway & two abutting triangle shaped lots west of West Dixie Highway between NE 141St & NE 140 St, North Miami
File 61420

The Market Value of the Fee Simple interest of the subject property, subject to vacation, abandonment and closure, as of July 28, 2014 is estimated to be:

EIGHTY THREE THOUSAND DOLLARS
\$83,000

This letter of transmittal and the pages that follow constitute our report, including the data and analyses utilized in forming an opinion of value. Should you have any questions concerning this report, please do not hesitate to call our office.

Respectfully submitted,



José A. Ortega
State Certified General Real Estate
Appraiser RZ 1247



Connie Nappier III
State Certified Residential Real Estate
Appraiser RD 2360

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INTRODUCTION

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Client:	The City of North Miami
Purpose of the Appraisal:	The purpose of this appraisal is to provide an opinion of the market value of the fee simple interest of the subject property subject to vacation and abandonment.
Intended Use of the Appraisal	This appraisal is intended for the use of our client, The City of North Miami, to assist with the decision of the sale of the subject property (an alley), subject to its vacation, abandonment and closure.
Property:	Alleyway and two abutting triangle shaped lots west of West Dixie Highway between NE 141 Street and NE 140 Street, North Miami, FL
Folio:	Not yet assigned.
Legal Description:	A parcel of land lying in block 13 of "Biscayne Highlands" according to the plat thereof as recorded in Plat Book 46 at Page 26 of the public records of Miami-Dade County, Florida. Said parcel of land being more particularly described as follows: Beginning at the Southeast corner of Lot 6 Block 13 Biscayne Highlands as recorded in Plat Book 46, at Page 26 of the public records of Miami-Dade County, Florida. Thence northerly along the easterly line of said Lot 6 and the easterly line of Lot 5 of said Biscayne Highlands for a distance of 140 feet to the northeast corner of said Lot 5 said northeast corner also being the southwest corner of Lot 2 Block 13 of said Biscayne Highlands. Thence easterly along the south line of said Lot 2 and the south line of Lot 1 Block 13 of said Biscayne Highlands for a distance of 102.40 feet to the southeast corner of said Lot 1 Block 13. Thence northeasterly along the southeasterly line of Lot 1 Block 13 for a distance of 102.34 feet. Thence north along the easterly property line of Lot 1 Block 13 for 66.92 feet to the northeast corner of said Lot 1 Block 13 of Biscayne Highlands as recorded in Plat Book 46 at Page 26. Thence easterly along the prolongation of the north line of Lot 1 Block 13 for a distance of 95.40 feet to the most northerly northwest corner of Lot 1 Block 13. Thence southwesterly along the northwesterly line of Lots 7 thru 13 Block 13 for a distance of 352.87 feet to the southwesterly most northern point of Lot 7 Block 13 of Biscayne Highlands. Thence south along the westerly line of Lot 7 Block 13 for a distance of 29.50 feet to the southwesterly corner of Lot 7 Block 13. Thence westerly along the prolongation of the south line of Lot & Block 13 for a distance of 20 feet to the point of beginning. (as per survey Landmark Surveying & Associates Inc.)
Effective Date of Appraisal:	July 28, 2014
Property Rights Appraised:	Fee Simple estate
Land Size:	15,108 per survey
Zoning:	C-1 Commercial, North Miami

Highest and Best Use as Vacant:	The Highest and Best Use of the subject as vacant is to hold as inventory for future development at such time as sufficient demand exists.
Assessment Data:	To be determined
Real Estate Taxes:	To be determined
Flood Zone:	Flood zone is "X", as identified by Panel # 12086 C 0143 L, dated September 11, 2009.
Sales History:	None.
Contract Information:	The subject is not under contract or advertised for sale in the MLS service.
Owner of Record:	The City of North Miami
Client:	The City of North Miami
Exposure period:	Estimated at more or less 1 year, if properly marketed.

Valuation Summary:

The Market Value of the Fee Simple interest of the subject property, subject to vacation, abandonment and closure, as of July 28, 2014 is estimated to be:

EIGHTY THREE THOUSAND DOLLARS
\$83,000

EFFECTIVE DATE OF THE APPRAISAL/DATE OF THE REPORT

The subject property has been inspected on various occasions throughout the process of preparing an appraisal report. A final inspection of the property was conducted on and the effective date the appraisal is July 28, 2014

PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to provide a market value opinion of the Fee Simple estate of the subject property, subject to vacation, and abandonment.

INTENDED USE OF THE APPRAISAL

This appraisal is intended for the use of our client, The City of North Miami, to assist with their decision of the sale of the subject property subject to its vacation, and abandonment.

MARKET VALUE DEFINED

Market value, as used in this appraisal report, is defined by the Appraisal Foundation, as:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- (1) Buyer and seller are typically motivated;
- (2) Both parties are well informed or well advised, and acting in what they consider their own best interests;
- (3) A reasonable time is allowed for exposure in the open market;
- (4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- (5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

PROPERTY INTERESTS APPRAISED

The subject is appraised on the basis of a fee simple estate. A fee simple estate may be defined as the largest possible estate in real property. It is also known as an absolute estate because a person in possession has no restrictions or limitations upon his ownership, except that imposed by the State. For instance: impositions of taxes, public safety regulations and purchase by the State for public use. Title to this estate may be acquired: by deed, will, inheritance, adverse possession and may also be granted by the Court.

PROPERTY IDENTIFICATION

The subject property, located at, M/L an Alleyway and two abutting triangle shaped lots west of West Dixie Highway between NE 141 Street and NE 140 Street, North Miami, FL. is described as follows:

A parcel of land lying in block 13 of "Biscayne Highlands" according to the plat thereof as recorded in Plat Book 46 at Page 26 of the public records of Miami-Dade County, Florida. (per survey by Landmark Surveying & Associates, Inc.)

SALES HISTORY

No recorded ownership transfer in the last 3 years. The subject is not under contract or advertised for sale in the MLS service.

SCOPE OF THE APPRAISAL

There are several methods appraisers can employ when estimating land value. The six basic procedures are the Sales Comparison Approach, Allocation Method, Extraction, Subdivision Development Method, the Land Residual Technique, and the Ground Rent Capitalization Method. All six procedures are derived from the three basic approaches to value. Sales Comparison and income capitalization (i.e. Ground Rent Capitalization) can be directly applied to land valuation. Allocation and Extraction procedures reflect the influence of the Sales Comparison and Cost approaches; the Land Residual Technique is based on the income capitalization and the Cost Approach. Subdivision Development draws on elements of all three approaches. The Sales Comparison Approach will be used in this report.

The Sales Comparison Approach is a process of comparing actual comparable property sales. This approach to value is based upon the Principle of Substitution, which holds that "the value of a property tends to be set by the price that would be paid to acquire a substitute property of similar utility and desirability within a reasonable amount of time. This principle implies that the reliability of the Sales Comparison Approach is diminished if substitute properties are not available in the market." (The Appraisal of Real Estate, Twelfth Edition, page 418).

This approach is based upon the collection of similar sales and offering data for comparison. Market-derived adjustments for relevant factors can sometimes be extracted from these and other sales. The sales data is compared to the subject on the basis of those elements of comparison which include real property rights conveyed, financing terms, conditions of sale, and date of sale. Location and other physical characteristics are then considered. Physical characteristics typically used in comparison are shape, topography, utilities, zoning, frontage, and flood plain. Because adjustments for these relevant factors are market derived, the desires and actions of typical buyers and sellers are reflected in the comparison process. Listed on the following pages are sales, which were considered to be the most comparable to the subject property.

The subject property is vacant land. For purposes of this appraisal, the sales comparison approach will be used.

FACTUAL DESCRIPTIONS

NEIGHBORHOOD DESCRIPTION

A neighborhood can be defined as: "A portion of a larger community, or an entire community in which there is a homogeneous grouping of inhabitants, buildings, or business enterprises. Inhabitants of a neighborhood usually have a more than casual community interest and a similarity of economic level or cultural background. Neighborhood boundaries may consist of well-defined natural or manmade barriers or they may be more or less well defined by a distinct change in land use or in the character of the inhabitants.

Neighborhoods may be devoted to such uses as residential, commercial, industrial, agricultural, cultural, and civic activities, or a mixture of these uses. Analysis of the neighborhood in which a particular property is located, is important due to the fact that the various economic, social political, and physical forces which affect the neighborhood also directly influence the individual properties within it. An analysis of these various factors as they affect value of the subject property is presented in the following discussion.

The subject property neighborhood is a mixed use area of commercial, residential & public use district zones. North Miami Avenue, on the west, Biscayne Blvd. (U.S. 1), on the east from NE 151 Street on the north and NE 123 Street on the south.

The immediate neighborhood and subject property are located on or near the major thoroughfare West Dixie Highway and NE 135th Street that connects Biscayne Blvd. (U.S. 1) and Interstate I-95. Overall vacancy rates in the area for residential properties are estimated in the 3-5% range. All services such as water, electricity, telephone and sewer are available.

Conclusion. The subject property has an average/good location and exposure within the neighborhood with good accessibility to U.S. 1 & Interstate I-95.

SITE ANALYSIS

Location: M/L Alleyway & two abutting triangle shaped lots west of West Dixie Highway between NE 141 St, & NE 140 St, North Miami, FL.

Assessor's Parcel Number: Folio: Not yet assigned

Land Area: 15,108 SF as per survey.

Shape: Irregular

Road Frontage: ± 28.23' along NE 141st Street & ±20.00' along 140th Street

Visibility: Visibility from a public street and surrounding development is average.

Terrain: Mostly level.

Utilities: All utilities appear to be available.

Adjacent Properties: The subject is part of an urban area with mostly mix commercial-residential & public use development.

North	Single Family
South	Commercial
East	Commercial
West	Single family

Flood Zone: Flood zone is "X", as identified by Panel # 12086 C 143 L, dated September 11, 2009.

Drainage: Drainage appears to be Adequate, although an inspection was not made during a heavy rain period.

Landscaping: None, site is filled to grade

Easements/Encumbrances: Inspection did not reveal any easements that could affect marketability. In the performance of this appraisal, we did not find, nor were we made aware of an easements or encroachments (other than standard utility easements) that would have an adverse effect on the subject. We suggest that a legal opinion be obtained to ensure that no adverse easements or encroachments exist. The subject property is an alley and two abutting triangle shaped lots proposed for vacation and abandonment.

Zoning/Restrictions:

Underlying land use designation is C-1, Commercial zoning.

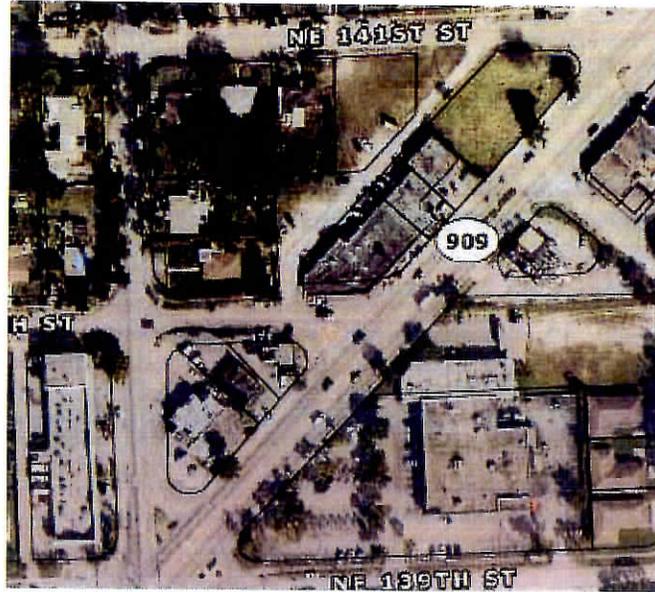
Environmental Regulations:

No hazardous materials were observed during inspection of the subject property. We have no knowledge of the existence of such materials on or in the property. We recommend the employment of a qualified environmental firm to detect any environmental problems which might exist, as we are not qualified in this area of expertise.

Conclusion:

The subject property has an average/good location and exposure within the neighborhood with good accessibility to U.S. 1 and Interstate I-95.

AERIAL MAP



SURVEY AND LEGAL DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN BLOCK 13 OF "BISCAYNE HIGHLANDS" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46 AT PAGE 26 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 6 BLOCK 13 OF "BISCAYNE HIGHLANDS" AS RECORDED IN PLAT BOOK 46, AT PAGE 26 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 6 AND THE EASTERLY LINE OF LOT 5 OF SAID BISCAYNE HIGHLANDS FOR A DISTANCE OF 140.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 5 SAID NORTHEAST CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 2 BLOCK 13 OF SAID BISCAYNE HIGHLANDS, THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 2 AND THE SOUTH LINE OF LOT 1 BLOCK 13 OF SAID BISCAYNE HIGHLANDS FOR A DISTANCE OF 102.40 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 BLOCK 13, THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 1 BLOCK 13, FOR A DISTANCE OF 102.34 FEET; THENCE NORTH ALONG THE EASTERLY PROPERTY LINE OF LOT 1, BLOCK 13 FOR 66.92 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 BLOCK 13 OF BISCAYNE HIGHLANDS, AS RECORDED IN PLAT BOOK 46, AT PAGE 26; THENCE EASTERLY ALONG THE PROLONGATION OF THE NORTH LINE OF LOT 1, BLOCK 13 FOR A DISTANCE OF 85.40 FEET TO THE MOST NORTHERLY NORTHWEST CORNER OF LOT 13 OF BLOCK 13, THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF LOTS 7 THRU 13 OF BLOCK 13 FOR A DISTANCE OF 352.67 FEET TO THE SOUTHWESTERLY MOST NORTHERN POINT OF LOT 7 BLOCK 13 OF BISCAYNE HIGHLANDS; THENCE SOUTH ALONG THE WESTERLY LINE OF LOT 7 BLOCK 13 FOR A DISTANCE OF 29.50 FEET TO THE SOUTHWESTERLY CORNER OF LOT 7 BLOCK 13; THENCE WESTERLY ALONG THE PROLONGATION OF THE SOUTH LINE OF LOT 7 BLOCK 13 FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SURVEYORS NOTE:

- THIS SITE LIES IN THE SOUTH 1/2 OF SECTION 20 AND THE SOUTH WEST 1/4 OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 42 EAST, CITY OF NORTH MIAMI, MIAMI DADE COUNTY, FLORIDA.
- THIS IS NOT A BOUNDARY SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
- DIMENSIONS INDICATED ARE BASED ON PLAT BOOK 46 OF PAGE 26 AS RECORDED IN MIAMI DADE COUNTY, FLORIDA.



PROFESSIONAL SURVEYORS AND MAPPERS
 1470 NW 122ND AVENUE, SUITE 1
 MIAMI, FL 33177
 PHONE: (305) 596-4006 FAX: (305) 596-4003
 EMAIL: LANDMARKSURVEYING@HOTMAIL.COM
 WWW.LANDMARKSURVEYING.COM

CERTIFICATION:

SURVEYORS CERTIFICATION: I HEREBY CERTIFY THAT THIS SPECIFIC PURPOSE IS A TRUE AND CORRECT REPRESENTATION OF A SKETCH PREPARED UNDER MY DIRECTORSHIP AND IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS, AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61-2, FLORIDA ADMINISTRATIVE CODE.

SIGNED: *[Signature]* FOR THE STATE OF FLORIDA
 BRUNO R. ESTERUA P.E., No. 2846 STATE OF FLORIDA
 (NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SIGNATURE AND A VERIFIED ELECTRONIC SEAL, AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.)

DATE:	06-18-2014
SCALE:	1" = 40'
DRAWN BY:	J.P.B.
JOB No.:	1407-041
Sheet:	1 OF 3

SURVEY AND LEGAL DESCRIPTION



EXHIBIT "A"
LOCATION SKETCH
 NOT TO SCALE



SURVEYORS NOTE:

- THIS IS NOT A BOUNDARY SURVEY BUT ONLY A LOCATION SKETCH OF THE DESCRIPTION SHOWN HEREON.

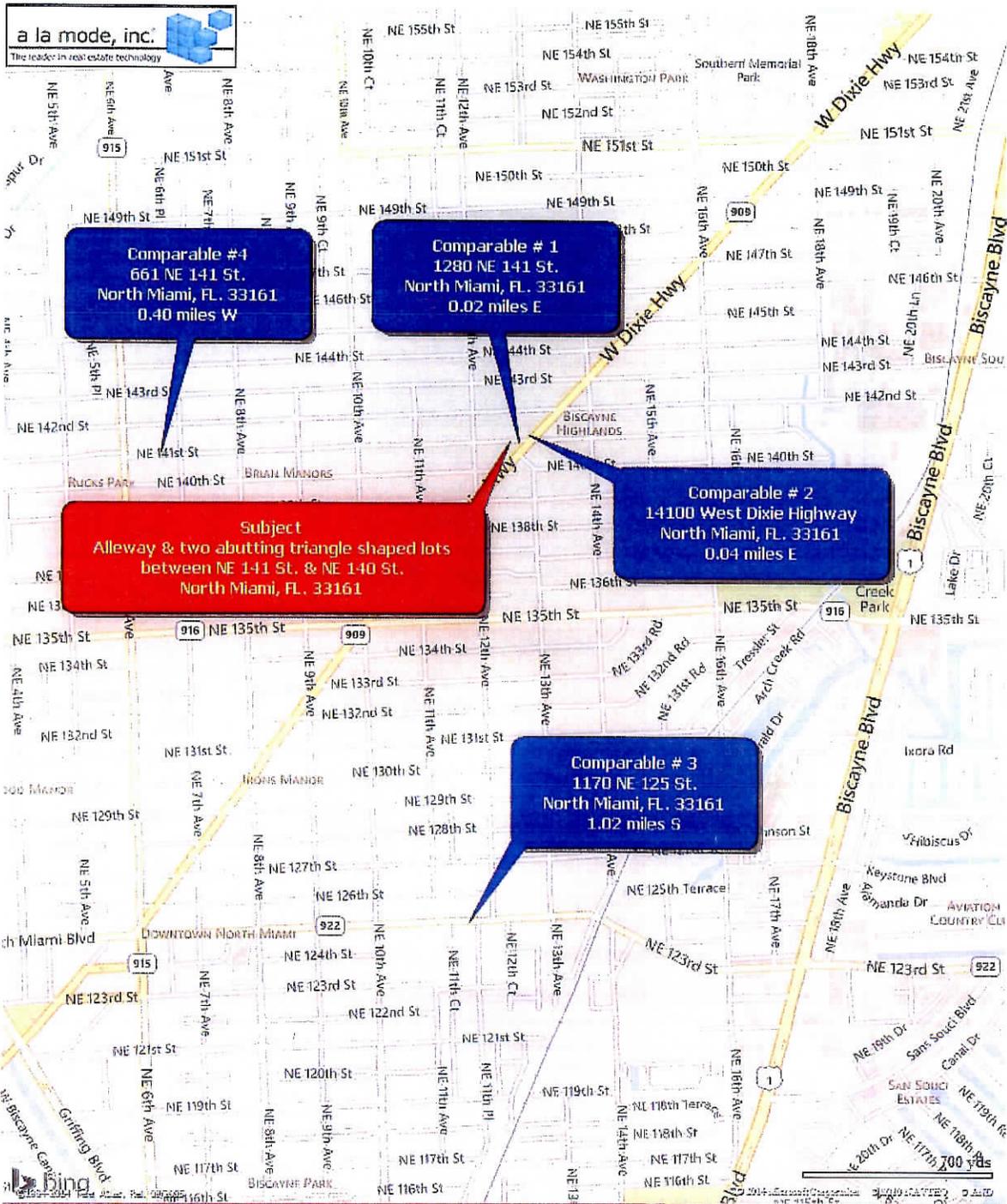
PROFESSIONAL SURVEYORS AND MAPPERS
 1470 N.W. 107th AVENUE, SUITE 1
 MIAMI, FL 33172
 PHONE: (305) 556-4002 FAX: (305) 555-3603
 EMAIL: LANDMARKSURVYING@HOTMAIL.COM
 WWW.LMSURVYING.COM



U.S. NO. 72827

DATE:	06-18-2014
SCALE:	NOT TO SCALE
DRAWN BY:	J. Fee
JOB No.:	1407-041
SHEET:	2 OF 2

LOCATION MAP



SUBJECT PHOTOGRAPHS



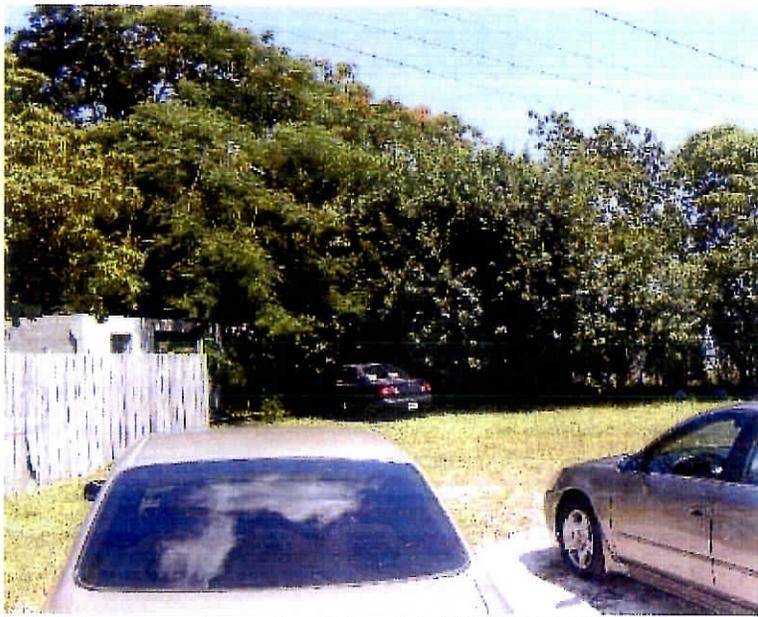
Parcel view South



Parcel view North



Triangle shaped lot view



Triangle shaped lot view

SUBJECT PHOTOGRAPHS



NE 141 Street view



NE 140th Street view

REAL ESTATE TAX INFORMATION

The subject property, located in Miami-Dade County, Florida, is subject to Miami-Dade County ad valorem taxes on real and personal property, as well as city taxes if located in an incorporated area. The Florida Statutes provide for assessment and collection of yearly Ad Valorem Taxes on Real and Personal Property. However, the taxes are assessed, collected, and used on the local county level. The assessment for the property is established each year as of January 1 by the Miami-Dade County Property Appraiser's Office at 100% of "Just Value". The tax due is computed according to annual millage rates established by Miami-Dade County. Millage rates are the amount paid to each taxing body for every \$1,000 of assessed value. Taxes are payable in November with a 4% discount and become delinquent on April 1. Property is not yet assessed and a folio numbers will be assigned.

Folio to be assigned

Assessment Data: To be determined

Real Estate Taxes: To be determined

ZONING

The underlying land use designation is Commercial and the zoning is C-1.

HIGHEST AND BEST USE ANALYSIS

Four criteria are examined in order to determine the highest and best use of the subject property. The criteria and their applicability to the subject are as follows:

Legally Permissible: a legally permissible use is determined primarily by current zoning regulations. However, other considerations such as long-term leases, deed restrictions, and environmental regulations may preclude some possible highest and best use.

Physically Possible: the size, shape and topography affect the uses to which land may be developed. The utility of a parcel is dependent on its frontage and depth. Sites with irregular shapes may be more expensive to develop, and topography or subsoil conditions may make utilization too costly or restrictive. Highest and best use as improved also depends on physical characteristics such as condition and utility.

Financially Feasible: the use of the property is analyzed to make a determination as to the likelihood that the property is capable of producing a return which is greater than the combined income needed to satisfy operation expenses, debt service, and capital amortization. Any use that is expected to produce a positive return is classified as financially feasible.

Maximally Productive: the use that provides the highest rate of return among financially feasible uses is the highest and best use. The use of the land must yield a profitable net return, and the quantity of land devoted to any specific use must be limited to that quantity which will yield a maximum return to each owner.

Highest and Best Use

Legally Permissible

The current zoning forms the basis for the legal restraint on what improvements could be placed on the site. The subject site is zoned C-1 Commercial, North Miami, which permits most all commercial type dwellings and is the most liberal commercial zoning designation in North Miami

Physically Possible

The size and terrain is conducive for many types of development. However, the irregular shape as presently constituted limits the type of development that could be placed on the property. The property visibility from the street is average/good, accessibility is average. The subject's size of 15,108 SF is sufficient to allow development. Most uses physically that could be placed on the site would have to be creative design or ancillary uses such as parking, setback requirements, etc..

Financially Feasible

Financially feasible refers to legal uses which are physically possible and have a sufficient demand to produce a positive return. Once the physically possible and legally permissible potential land uses have been determined, the next step in estimating the highest and best use is to determine which uses are economically feasible. The legally permissible and physically possible use is Commercial development.

Maximally Productive

The maximally productive use of the property is the use that results in the highest present value of the property. The Maximally Productive use of the site, is to hold as inventory for future development.

Conclusion

The highest and best use of the subject is to hold the site as inventory for future development.

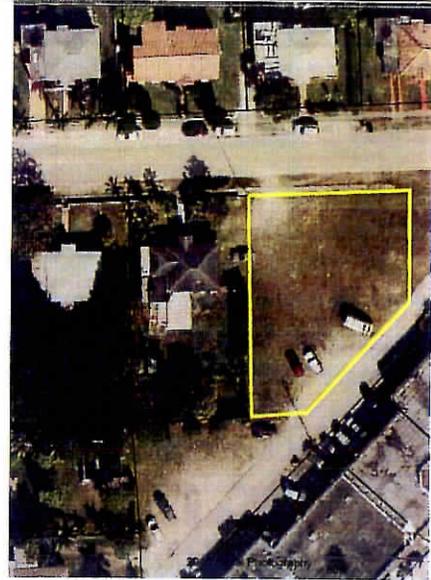
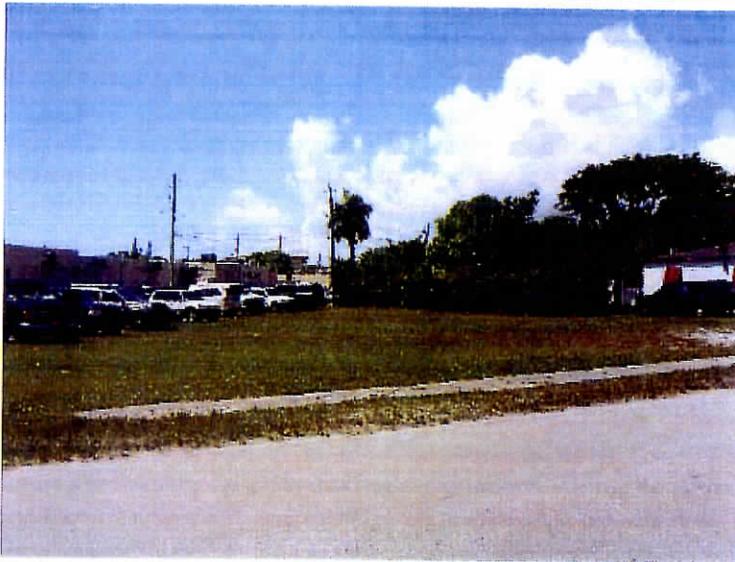
SALES COMPARISON APPROACH

The Sales Comparison Approach is a process of comparing actual comparable property sales. This approach to value is based upon the Principle of Substitution, which holds that "the value of a property tends to be set by the price that would be paid to acquire a substitute property of similar utility and desirability within a reasonable amount of time. This principle implies that the reliability of the Sales Comparison Approach is diminished if substitute properties are not available in the market." (The Appraisal of Real Estate, Twelfth Edition, page 418).

This approach is based upon the collection of similar sales and offering data for comparison. Market-derived adjustments for relevant factors can sometimes be extracted from these and other sales. The sales data is compared to the subject on the basis of those elements of comparison which include real property rights conveyed, financing terms, conditions of sale, and date of sale. Location and other physical characteristics are then considered. Physical characteristics typically used in comparison are shape, topography, utilities, zoning, frontage, and flood plain. Because adjustments for these relevant factors are market derived, the desires and actions of typical buyers and sellers are reflected in the comparison process. Listed on the following pages are sales, which were considered to be the most comparable to the subject property.

Listed on the following pages is the set of data that has been used to value the subject site.

Comparable Sale 1



Location Data

Location: 1280 NE 141st Street
North Miami, FL 33161
Folio No: 06-2219-015-2320

Physical Data

Land Area: 11,637 SF
Zoning: C-1, Commercial

Sale Data

Sale Price: \$112,000
Sale Price/SF: \$9.62
Date: February 2014
Grantor: Muller & Deborah Tercier
Grantee: WDHY 140 LLC

Recorded at: 29025-3364
Financing: No recorded mortgage.
Confirmation Source: Miami-Dade County
Sales History: No recorded sales prior three years.

Comments:

This comparable is the sale of a parcel of vacant land.

Comparable Sale 2



Location Data

Location: 14100 West Dixie Highway
North Miami, FL 33161
Folio No: 06-2219-015-2410

Physical Data

Land Area: 15,786 SF
Zoning: C-1, Commercial

Sale Data

Sale Price: \$182,500
Sale Price/SF: \$11.56
Date: May 2013
Grantor: America Finance 2009 Corp.
Grantee: WHDY 140 LLC

Recorded at: 28658-0509
Financing: No recorded mortgage.
Confirmation Source: Miami-Dade County
Sales History: Certificate of sale back to the lender 06-2012, \$210,000

Comments:

This comparable is the sale of a vacant parcel of land.

Comparable Sale 3



Location Data

Location: 1170 NE 125th Street
North Miami, FL 33161
Folio No: 06-2229-031-0310, 0300, 0290, 0280,
0270

Physical Data

Land Area: 31,290 SF
Zoning: C-2A,
Commercial
Restricted

Sale Data

Sale Price: \$686,800
Sale Price/SF: \$21.95
Date: May 2014
Grantor: Regal Estate
Grantee: De Paz Holdings LLC

Recorded at: 29171-3426
Financing: None
Confirmation Source: Miami-Dade County
Sales History: Certificate of sale back to the lender 01-
2014, \$200,000.

Comments:

This comparable is the sale of a multi parcel vacant parcel of land.

Comparable Sale 4



Location Data

Location: 661 NE 141st Street
North Miami, FL 33161
Folio No: 06-2219-010-0510

Physical Data

Land Area: 10,684 SF
Zoning: R-3, Residential

Sale Data

Sale Price: \$23,000
Sale Price/SF: \$2.15
Date: December 2013
Grantor: Tree Side LLC
Grantee: Vip Residential Investment LLC

Recorded at: 28954-3167
Financing: None
Confirmation Source: Selling Agent
Sales History: Quit Claim Deed 11-2013, \$100.00

Comments:

This comparable is the sale of a parcel of vacant land.

SALES ANALYSIS

Property Rights - The transaction price of a sale is always based on the real property interest conveyed. In this instance, an adjustment for this attribute was not considered necessary.

Financing Terms - Prices paid in acquiring property may differ significantly due to the financing involved, if any. Cash or cash equivalencies are the basis of value, whereas extended, above market interest rate and/or leverage investor terms sales, generally represent the higher portion of a sales price range. Therefore, some methods of converting these financing terms to cash must occur so that the adjustment process may be applied to the sales. In reviewing the comparables, an adjustment was not required for atypical financing.

Conditions of Sale - Adjustments made for conditions of sale usually reflect atypical motivations of the buyer and seller at the time of conveyance. A sale may be transacted at a below market price if the seller needs cash in a hurry. A financial, business, or family relationship between the parties may also affect the price of property. Interlocking corporate entities may record a sale at a non-market price to serve their business interest. When non-market conditions of sale are detected in a transaction, the sale must be thoroughly researched before an adjustment is made. Within the confirmation process, detailed attention was made to ensure the conditions of each sale. Based upon the research performed, it is believed that all of the comparable sales involved regular arms-length transactions without the presence of duress or adverse market influence. As such, no adjustments were warranted.

Market Conditions/Time - Market conditions may change between the time of sale of a comparable property and the date of the appraisal of the subject property. Changed market conditions often result from various causes, such as inflation, changing demand, and changing supply. Time itself is not the cause for the adjustment. No adjustments are warranted for market conditions.

Location - Location considerations include such factors as proximity to surrounding land use plus accessibility to supporting development, transportation routes and major thoroughfare visibility. Comparables #2 and #3 have superior locations warranting downward adjustments.

Size - The subject is 15,108 SF in size. In mostly developed areas, larger sites sell for a lower price per SF. Comparables #2, and #3 are larger than subject, warranting an upward adjustment. Comparables #1 and #4 are smaller warranting a downward adjustment.

Topography - The subject has a level topography. The sales were all comparable in the topographic characteristics and therefore an adjustment was not deemed necessary.

Zoning - The subject is zoned C-1 Commercial. Comparable #4, with R-3, Residential zoning, has inferior zoning warranting an upward adjustment.

Utilities - The subject has utilities available. All of the comparables have similar access to utilities, no adjustment is warranted.

Comp No.	Subject	1	2	3	4
Address	Alleyway NE 141 St & NW 140 St	1280 NE 141 Street	14100 West Dixie Highway	1170 NE 125 Street	661 NE 141 Street
City	North Miami	North Miami	North Miami	North Miami	North Miami
Date of Sale	---	February-2014	May-2013	May-2014	Dec.-2013
Sale Price	---	\$112,000	\$182,500	\$686,800	\$23,000
Land Area (SF)	15,108	11,637	15,786	31,290	10,684
Price/Square Feet	---	\$9.62	\$11.56	\$21.95	\$11.44
Property Rights	---	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Financing	---	None	None	None	None
Conditions of Sale	---	Typical	Typical	Typical	Typical
Topography	--	Level	Level	Level	Level
Zoning	C-1	C-1	C-1	C-2A	R-3
Quantitative Adjustments					
Property Rights					
Financing Terms					
Conditions of Sale					
Months Elapsed		5	14	2	7
Market Conditions/Time					
Location		Comparable	Superior	Superior	Comparable
Qualitative Analysis			-	-	
Size		Smaller	Comparable	Larger	Smaller
Qualitative Analysis			-	+	-
Topography		Comparable	Comparable	Comparable	Comparable
Qualitative Analysis					
Zoning		Comparable	Comparable	Comparable	Inferior
Qualitative Analysis					+
Utilities		Comparable	Comparable	Comparable	Comparable
Qualitative Analysis					
Condition		Comparable	Comparable	Comparable	Comparable
Qualitative Analysis					
Total Net Adjustments		-	-	-	+

CONCLUSION

Sale 1 is the sale of a parcel vacant land that sold for \$9.62/SF of land. Downward adjustment is warranted for size. Overall a downward adjustment is warranted and the subject should sell for lower price per SF than the amount indicated by this sale.

Sale 2 is the sale of a parcel of vacant land that sold for \$11.56/SF. Downward adjustment is warranted for location. Overall a downward adjustment is warranted and the subject should sell for a lower price per SF than the amount indicated by this sale.

Sale 3 is the sale of a multi parcel of vacant land that sold for \$21.95/SF. Upward adjustment is warranted for size. Downward adjustment is warranted for location. Overall a downward adjustment is warranted and the subject should sell for a lower price per SF than the amount indicated by this sale.

Sale 4 is the sale of a parcel of vacant land that sold for \$2.15/SF. Downward adjustment is warranted for size. Upward adjustment is warranted for zoning. Overall an upward adjustment is warranted and the subject should sell for a higher price per SF than the amount indicated by this sale.

The grid summarizes the adjustments made to each sale. It is the appraiser's opinion after reviewing these sales, the subject property site has a value of approximately \$5.50 per SF. The results of this analysis indicate that the subject site has an overall value of \$83,000.

LAND SALES ANALYSIS

Qualitative Analysis		
Sale No.	Price/Square Feet	Net Adjustment
Sale 1	\$9.62	-
Sale 2	\$11.56	-
Sale 3	\$21.95	-
Subject	---	
Sale 4	\$2.15	+

Concluded Value			
Concluded Price/Square Feet		Square Feet	Value
\$5.50	x	15,108	= \$83,000 RD

FINAL MARKET VALUE ESTIMATE

The Market Value of the Fee Simple interest of the subject property, subject to vacation, abandonment and closure, as of July 28, 2014, is estimated to be:

EIGHTY THREE THOUSAND DOLLARS
\$83,000

CERTIFICATION OF VALUE

THE APPRAISER/S HEREBY CERTIFIES/Y:

1. That he/they have no undisclosed interest in the subject property and the object of this appraisal, either past, present or contemplated. That his/their employment and compensation for rendering his/their opinion in this report is/are not contingent upon the value found, nor upon anything else other than the delivery of this report for the predetermined fee.
2. That to the best of his/their knowledge and belief, everything contained in this report is true, that no important facts have been overlooked or withheld from the report and that no one provided significant real property appraisal assistance to the person/s signing this certification.
3. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and they are his/their personal, impartial, and unbiased professional analyses, opinions, and conclusions.
4. That the appraisal has been made and the report rendered strictly in accordance with guidelines established by the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Standards Board of the Appraisal Foundation; and Title XI of the Federal Financial Institution Reform Act of 1989. The use of this report is subject to the requirements of the State of Florida relating to review by the Real Estate Appraisal Sub-committee of the Florida Real Estate Commission.
5. That the estimated value of the property described herein is as defined elsewhere in this report and that the contract for the appraisal of said premises is fulfilled by the signer/s hereto upon the delivery of this appraisal duly executed.
6. Connie Nappier III personally inspected the subject property. The signors of this report have performed no services, appraisal or otherwise, related to the subject property, in the three years preceding acceptance of this assignment.
7. The appraisal is of the date specified in this report and covers the premises described as M/L Alleyway and two abutting triangle shaped lots west of West Dixie Highway between NE 141 Street and NE 140 Street, North Miami, Florida.

The Market Value of the Fee Simple interest of the subject property, subject to vacation and abandonment as of July 28, 2014, is estimated to be:

EIGHTY THREE THOUSAND DOLLARS

\$83,000



José A. Ortega
State Certified General Real Estate
Appraiser RZ 1247



Connie Nappier III
State Certified Residential Real Estate
Appraiser RD 2360

ASSUMPTIONS AND LIMITING CONDITIONS

I/we assume no responsibility for matters legal in nature, nor do I/we render any opinion as to the title, which is assumed to be marketable. The property is appraised as though under responsible ownership.

The sketch in this report is included to assist the reader in visualizing the property, and I/we assume no responsibility for its accuracy. I/we have made no survey of the property and no responsibility is assumed for this matter.

I/we are not required to give testimony or appear in court because of having made this appraisal with reference to the property in question, unless previous arrangements have been made therefore.

The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

I/we assume that there are no hidden or unapparent conditions of the property, subsoil or structures, which would render it more or less valuable. I/we assume no responsibility for such conditions or for engineering, which might be required to discover such factors.

Information, estimates and opinions furnished to me/us and contained in this report were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy can be assumed by me/us.

Neither all nor any part of the contents of this report, or copy thereof, shall be used for any purpose by any but the client without the previous written consent of the appraiser/s and/or of the client; nor shall it be conveyed by any, including the client, to the public through advertising, public relations, news, sales or other media, without the written consent and approval of the authors, particularly as to valuation conclusions, the identity of the appraisers, or a firm or firms with which he is connected, or any reference to any professional society or institute or any initialed designations conferred upon the appraisers.

Both legal descriptions and dimensions are taken from sources deemed authoritative; however, no responsibility is assumed.

A survey, by a licensed surveyor or engineer, is recommended.

Value is reported in Dollars on the basis of the national economy prevailing on the date of the appraisal. The appraisal is of the date specified and covers only the described premises. The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

The reader is reminded that when the replacement cost estimate is developed in the report, it is a fair assumption, but nevertheless an assumption which could very well be an over or under estimate since the appraiser is not an expert in construction and should only be used as a guide to any decision. A general contractor or architect should be consulted for an expert opinion.

To the best of my/our knowledge and believe, the appraisal complies with the guidelines established by the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Standards Board of the Appraisal Foundation; and Title XI of the Federal Financial Institution Reform Act of 1989.

The principal signatory of this appraisal is a State Certified General Appraiser in the State of Florida and has completed all continuing education requirements for certification until November 2012.

All other persons signing this appraisal are properly registered with the DBPR Board of Real Estate in Florida and have completed all continuing education requirements through November 2012.

ENVIRONMENTAL DISCLAIMER: Routine inspection of and inquires about the subject property did not develop any information that indicated any apparent significant hazardous substances or detrimental environmental conditions which would affect the property negatively. This notwithstanding, the value estimated in this report is based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions. It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous materials and environmental conditions on or around the property that would negatively affect its value.

Clearly observable, possible hazardous conditions within the neighborhood, or proximity to the subject property, are addressed in the body of this report. Possible hazardous conditions include stored chemicals, wastes, storage tanks and materials potentially containing asbestos or PCB's. Any market indicated penalties or premiums would be dealt with in the market data analysis.

The American with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific compliance survey analysis to determine whether or not property is in compliance with act requirements. It is possible that a compliance survey report could reveal that the property in not in compliance with some of the requirements. If so, this could have a negative effect upon the value. Since we have no direct evidence relating to this issue, we did not consider possible noncompliance with the requirements of the ADA in estimating the value of the property.

QUALIFICATIONS OF THE APPRAISER

JOSÉ A. ORTEGA
1393 SW 1ST STRETT SUITE 205
MIAMI, FLORIDA 33135
TELEPHONE (305) 856-3866 - FAX (305) 285-2524
E-MAIL: JOSE@MTOREALTY.COM

PERSONAL: Engaged full time in real estate since 1971
Resident of Miami-Dade County, Florida

EDUCATION: Graduate of University of Miami, Bachelors in Education Degree.
Graduate of Realtors Institute, National Association of Realtors (GRI)

LICENSES HELD IN THE STATE OF

FLA: Real estate broker (to 03-31-2016)
State-certified general appraiser (to 11-30-2014)

WORK HISTORY:

1988 TO
PRESENT Real Estate Broker and Appraiser, MTO Realty, Inc

2002 TO
2014 Miami-Dade County Value Adjustment Board
Special Magistrate

1994 TO
2005 Staff appraiser, commercial department, Florida Appraisers, Inc.

1986-87 Real Estate Broker and Appraiser, Real Estate Appraisers & Consultants, Inc

1985-86
Appraisers Instructor of residential real estate appraising for National Association of

1982-85 Real Estate salesman and chief appraiser, Ancla Realty

1981-82 Sales and Rental Manager, Wildwood River Villas, Ltd., Supervision of physical renovation of 95 apartments for condominium conversion project

1971-82 Real Estate salesman at Marvin Rosen and Associates and Greater Miami Realty.

REAL ESTATE EDUCATION:

-2006-2004-2002-2000-1998-1996: Continuing education courses for appraisal recertification.

-2005- Highest & Best Use & Market Analysis, sponsored by the Appraisal Institute.

-1995: Attendance to seminars sponsored by the Appraisal Institute.

-1994: Various seminars sponsored by the Appraisal Institute.

-1993: Effects of Hurricane Andrew in the present real estate market, sponsored by the Appraisal Institute

-1992: Attendance to various seminars, sponsored by the Appraisal Institute.

-1991: Attendance to several seminars, sponsored by The American Society of Appraisers and by the Appraisal Institute. Completed courses and obtained State Certified General Appraiser designation.

-1990: Equivalent education Course 5212, for Real Estate Certified Appraiser designation. National Society of Fee Appraisers

-1988; Standards of Professional Practice, American Institute of Real Estate Appraisers

-1987; Uniform Appraisal Report Form, seminar, NSFA. 1A1, Real Estate Appraisal Principles, American Institute of Real Estate Appraisers

-1985; Review appraising seminar, NARAMU Commercial appraising, NSFA, Miami Dade Junior College.

-1984; Residential Real Estate Appraising, NSFA, Miami Dade Junior College.

Certified Review Appraiser's course, NARAMU Narrative appraisal, NSFA, Miami Dade Junior College

-1983; Appraisal workshop, Isla Morada, Florida NSFA

-1974; Courses taken in Orlando, Florida, during the Realtors Institute sponsored by FAR.

-1974; Courses taken in St. Petersburg, Florida, during the Realtors Institute sponsored by the Florida Association of Realtors.

Real Estate Marketing 209 through 212
Commercial property 211 and 212
Real Estate finance 204 through 206
Land planning and developing 206
Legal aspects of Real Estate Appraising 201-205
Condominiums

-1974; Courses taken in Boca Raton, Florida, during the Realtors Institute, sponsored by the Florida Association of Realtors.

Fundamentals of Real Estate 101 and 106
Professionalism in Real Estate 101 and 102
Real Estate Marketing 101 through 108
Legal aspects of Real Estate 101 through 103
Real Estate finance 101 through 103
Real Estate taxation 101 and 102
Real Estate Construction 101 through 104

-1971; Investment Seminar. Miami Board of Realtors

APPRAISAL ASSIGNMENTS

Assignments have included the appraisal of: Single family residential dwellings, duplexes, apartment buildings, strip centers, shopping centers, office buildings, warehouses, condominiums (offices, warehouses and residential), condo conversions of offices, warehouses and apartment buildings, vacant land, acreage, subdivisions developments and special use properties such as gas stations, schools, libraries, churches, etc.

Testimony as expert witness, in both bankruptcy and divorce courts of Miami-Dade County, Florida.

Assignments have been completed throughout the State of Florida (Duval, Orange, Osceola, Polk, St. Lucie, Palm Beach, Charlotte, Collier, Sarasota, Miami-Dade, Miami-Dade & Monroe Counties).

APPRAISAL SERVICES PROVIDED TO:

Ocean Bank
Banco Popular, NA
BankAtlantic
Union Credit Bank
Intercredit Bank
Ocean Bank
US Century Bank
Eastern National Bank
First Bank of Miami
Total Bank
One United Bank
FDIC
Regions Bank
City of Miami
Capital International Financial, Inc
Taiwan Business Bank
Novelle Financial Services
Halpern & Associates
The Loan Office
The Money Store
Princeton Financial Corporation
Main Street Mortgage
Berman Mortgage Corporation
Approved Mortgage Corporation
Service Mortgage Corporation
Universal American Mortgage
Financial Research Services
Secure Mortgage, Inc.
The Financial Group, Inc
Federated Home Mortgage
Norwest Mortgage, Inc.
Countrywide Funding Corporation
NationsBank Mortgage Corp.
First Bankers Mortgage Services, Inc
Fleet Mortgage Corporation
Coastal Federal Mortgage Corp
Hollywood Mortgage Corp.
Executive Funding Corp
Great Lakes Mortgage Corporation
Interamerican Financial Services
Financial Research Services, Inc
Florida Mortgage Underwriters
Universal American Mortgage
Royal Mortgage Services

QUALIFICATIONS OF THE APPRAISER

CONNIE NAPPIER III
1393 S.W 1ST ST. SUITE 205
MIAMI, FLORIDA 33135
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Cnap3@hotmail.com

EDUCATION: GRADUATE-UNIVERSITY OF MASSACHUSETTS, B.A.
BUSINESS MARKETING 1982

REAL ESTATE SALESMANS LICENSE 1984, FLORIDA

STATE CERTIFIED RESIDENTIAL REAL ESTATE
APPRAISER #2360, FLORIDA

FHA/HUD APPRAISER

PROFESSIONAL: VICE PRESIDENT, CHIEF APPRAISER RESIDENTIAL
DIVISION, MTO REALTY INC. 1990-PRESENT

STAFF APPRAISER RESIDENTIAL DIVISION, MTO
REALTY INC. 1985-1990

TYPES OF APPRAISAL ASSIGNMENTS: SINGLE
FAMILY RESIDENCES, DUPLEXES, SUBDIVISION
DEVELOPMENT, REVIEW APPRAISAL, VACANT LAND,
ACREAGE, CONDOMINIUMS (COMMERCIAL &
RESIDENTIAL), CONDO, HOTELS, APARTMENT
BUILDINGS, OFFICE BUILDINGS, WAREHOUSES,
SHOPPING CENTERS, CHURCHES.

APPRAISAL
SERVICES
PROVIDED
TO:

SUNBELT LENDING SERVICES, U.S. BANK, OCEAN
BANK, BANK OF AMERICA, FLAGSTAR BANK, NA.,
BANCO POPULAR, CITIBANK N.A., ONE UNITED BANK,
TOTALBANK, COCONUT GROVE BANK., MICHIGAN
MUTUAL, U.S. SECURITY BANK N.A. ,GREAT FLORIDA
BANK, PROVIDENT FUNDING, NATIONSTAR MTG.,
CITY OF MIAMI GARDENS NSP, FHA, PRIVATE:
PROPERTY TAX APPEAL, DIVORCE, EXPERT WITNESS.

QUALIFICATIONS OF THE APPRIASER
(continuation)

PROFESSIONAL REFERENCES:

Kevin Cohee, CEO, Chairman
One United Bank
133 Federal St.
Boston, Ma. 02110
Phone: 617-457-4418
Fax: 617-457-4430
KCohee@oneunited.com

Marc Halpern, CEO
Halpern & Associates Mortgage Corp.
1680 Michigan Av. #1001
Miami Beach, Fl. 33139
Phone: 305-535-2230
Fax: 305-285-2524
Mhalpern@halpennassociates.com

Omar Ojeda, Senior V. President
Total Bank
2720 Coral Way
Miami, Fl. 33145
Phone: 305-476-6206
Fax: 305-448-8201
Oojeda@totalbank.com

Appraisal services provided to: Miami-Dade & Broward Counties

MIAMI-DADE COUNTY DATA

Miami-Dade County, Florida is located in the southeast portion of Florida's east coast and is the southernmost county situated on Florida's mainland. The county has 35 municipalities, including Miami, the county seat (second-largest city in Florida); Hialeah (sixth-largest city); Miami Beach; Coral Gables; Key Biscayne, South Miami, Pinecrest, Aventura and Homestead.

The major portion of the county is on the west side of Biscayne Bay, the entryway to all docking facilities. The Atlantic Ocean is the eastern boundary of the county and is accessible via four causeways in the city proper. Miami-Dade County is Florida's largest county and the eight most populous in the US, with an estimated population, as of the 2010 US Census, of 2,496,435 persons, making it the most populous county in Florida (13% of the state population), and the eighth most populous county in the United States.

The population density within the urban area is 5,896 people per square mile. Approximately 420 square miles (excludes bay and coastal water) of the County are within the urbanized area, while the total county land area currently covers a total of 2,420 square miles (1,921 square miles of land and 499 square miles of water) and is bound by Biscayne Bay and the Atlantic Ocean to the east, Everglades National Park to the west, the Florida Keys to the south, and Broward County to the north.

Miami-Dade County is the only metropolitan area in the United States that borders two national parks: Biscayne National Park and Everglades National Park. The Greater Miami area is the center for international commerce in the southeastern United States and its proximity to the Caribbean, Mexico, and Central and South America makes it a natural center of trade to and from North America.

In addition, the international background of many of its residents is an essential labor force characteristic for multi-national companies which must operate across language and cultural differences. The County had the highest concentration of international bank agencies on the east coast south of New York City, with a total of 21 foreign chartered banks and over \$7.2 billion on deposit as of 2011.

Approximately one half of the people living in Miami-Dade County in 2010 were foreign born. Among people at least five years old living in Miami-Dade County in 2010, 71 percent spoke a language other than English at home. Of those speaking a language other than English at home, 88 percent spoke Spanish and 12 percent spoke some other language.

In 2011, there were 13 Edge Act banks throughout the United States; four of those institutions were located in the County. Edge Act Banks are federally chartered organizations offering a wide range of banking services, but limited to international transactions only. The favorable geographic location of the County, a well-trained labor force and the favorable transportation infrastructure have allowed the economic base of the County to expand by attracting many national and international firms doing business in Latin America, the Caribbean, the United States and the rest of the world. Among these corporations with world and /or national headquarters in the County are: Burger King Corporation, Royal Caribbean Cruises. Ltd., and Lennar Corporation. Those corporations with Latin American regional headquarters include: FedEx Corporation, Kraft Foods International, AIG Latin America, and HBO Latin America Media Services.

The Greater Miami area is also a leading center for tourism in the State. Miami ranks second behind Orlando as a destination for non-residential air travelers. It is also the principal port of entry in the State for international air travelers. During 2010, over 69 percent of international air travelers entering the State arrived through Miami International Airport.

Miami-Dade County enjoys an excellent geographic location allowing it to serve as a gateway to the Caribbean and Latin America. Furthermore, while a tourist destination in itself, it is also within a day's drive to some of Florida's major tourist destination cities, as shown in the following table:

City	Miles From Miami
Fort Lauderdale	25
West Palm Beach	74
Key West	160
Orlando	232
Clearwater	286
Tampa	309
Tallahassee	484

Source: Rand McNally Florida Mileage Chart

The growth in business relations between Latin America and Miami-Dade County has been accompanied by major increase in tourism from Latin America. Latin American tourists who enjoy shopping in the United States represent a major demand segment in the Miami-Dade County's lodging and retail markets.

POPULATION

The following tables are compiled from several published studies regarding the Miami-Dade population.

Miami-Dade County Population: 2000 to 2010

March 31	Resident Population	Five Year Change		
		Total	Net Migration	Natural Increase
2000	2,253,485			
2005	2,403,472	149,987	80,782	69,205
2010	2,496,435	92,963	85,571	7,392
Average Annual Population Change by Decade				
1961 - 1970		33,295	25,511	7,784
1971 - 1980		35,800	32,025	3,775
1981 - 1990		30,731	20,163	10,568
1991 - 2000		28,648	14,712	13,936
2000 - 2010		24,295	13,028	11,267

Data Source: U.S.Census Bureau Decennial Census, American Community Survey.

Miami-Dade Household & Family Types

	Population	Perct.
Households		
Total households	867,352	100%
Family households	602,911	69.5%
Nonfamily households	264,441	30.5%
Average household size	2.83	-
Average family size	3.33	-
Families		
Families	602,911	100%
With related children under 18 yrs	308,224	51.1%
With own children under 18 yrs	265,522	44.0%
Husband-wife families	380,241	100%
With related children under 18 yrs	183,583	48.3%
With own children under 18 yrs	165,530	43.5%
Male householder, no wife	59,733	37%
With related children under 18 yrs	28,662	17.6%
With own children under 18 yrs	22,851	14.0%
Female householder, no husband	162,937	100%
With related children under 18 yrs	95,979	58.9%
With own children under 18 yrs	77,141	47.3%

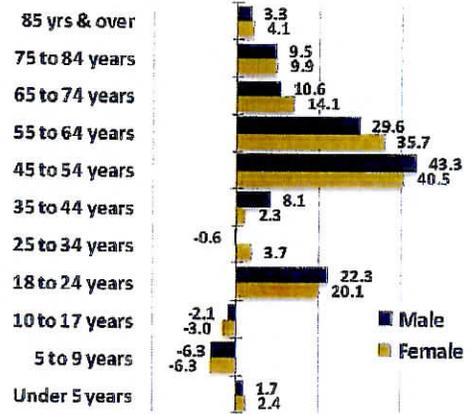
Source: US Census Bureau 2010 Decennial Census.

Key Miami-Dade Population Characteristics 2010

	Population	Perct.
Total	2,496,435	100%
Hispanic or Latino (of any race)	1,623,859	65.0%
Not Hispanic or Latino	872,576	35.0%
White	383,551	15.4%
Black or African American	425,650	17.1%
Asian	35,841	1.4%
American Indian & Alaska Native	2,014	0.1%
All Others (Including 2 or more races)	25,520	1.0%
Male	1,218,260	48.8%
Female	1,278,175	51.2%
Under 18 years	545,728	21.9%
Under 5 years	149,937	6.0%
18 to 24 years	247,340	9.9%
25 to 44 years	712,864	28.6%
45 to 64 years	638,490	25.6%
65 years and over	352,013	14.1%
85 years and over	45,866	1.8%
Median age (years)	38.2	-

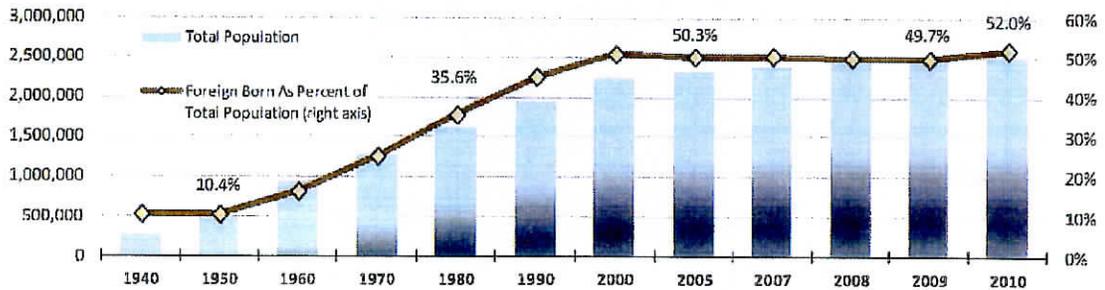
Source: US Census Bureau 2010 Decennial Census

Change in Population 2000-2010
 By Age Group and Gender in '000s



Data Source: US Census Bureau Decennial Census 2000, 2010.

Total Population and Percent of Foreign Born Population 1940 - 2010



Source: U.S. Census Decennial Census, 1940 - 2010, American Community Survey 2005 - 2009.

Housing

Housing Unit Distribution & Value of Owner-Occupied Units

		2010		
Total Housing Units	989,439	Owner Occupied Units 461,464		
		Less than \$100k	68,276	15%
Occupied units	809,689	82%	\$100k to \$149.9k	69,548
Owner-occupied	461,464	57%	\$150k to \$199.9k	84,157
Renter-occupied	348,225	43%	\$200k to \$299.9k	113,624
Vacant units	179,750	18%	\$300k to \$499.9k	78,650
			\$500k to \$999.9k	32,075
Owner vacancy rate	4.6%		\$1,000k or more	15,134
Rental vacancy rate	9.7%		Median (dollars)	\$207,100

Miami-Dade County Realtor Sales & Median Price

	Single Family Homes		Condominiums	
	Average Sales/Mo	Median Price	Average Sales/Mo	Median Price
2006	724	\$375,125	819	\$259,083
2007	441	\$377,842	481	\$271,983
2008	365	\$287,258	382	\$239,367
2009	557	\$195,300	571	\$142,500
2010	596	\$193,400	771	\$125,788
2011	826	\$171,783	1,251	\$114,067

Source: Florida Association of Realtors

Selected Monthly Housing Costs* for Owners & Renters

	2010		2005	
Units with a mortgage	321,386	321,386	359,180	359,180
Less than \$300	61	0.0%	437	0.1%
\$300 to \$499	2,719	0.8%	5,332	1.5%
\$500 to \$699	9,331	2.9%	15,146	4.2%
\$700 to \$999	28,792	9.0%	46,572	13.0%
\$1,000 to \$1,499	76,232	23.7%	113,300	31.5%
\$1,500 to \$1,999	73,995	23.0%	80,973	22.5%
\$2,000 or more	130,256	40.5%	97,420	27.1%
Median (dollars)	1,779		1,494	
Units paying rent	334,497	321,386	338,159	338,159
Less than \$200	12,181	3.8%	14,625	4.3%
\$200 to \$299	12,181	3.8%	10,907	3.2%
\$300 to \$499	13,616	4.2%	24,048	7.1%
\$500 to \$749	44,770	13.9%	81,024	24.0%
\$750 to \$999	85,588	26.6%	115,170	34.1%
\$1,000 to \$1,499	115,032	35.8%	69,493	20.6%
\$1,500 or more	51,129	15.9%	22,076	6.5%
Median (dollars)	997		816	

Source: US Census Bureau American Community Survey 1 Year Survey, 2010
* Selected monthly owner costs include mortgages, real estate taxes, various insurances, utilities, fuels, mobile home costs, and condominium fees

Transportation, trade and tourism

Miami and Miami Beach attract visitors worldwide. The tourism sector continues to perform well, with hotel occupancy rates, hotel room rates, and room inventory all registering year over year gains in 2011. A record 13.4 million people visited Miami-Dade County in 2011, an increase of 6.7% from 2010. Those visitors spent \$20.7 billion. International visitors make up 48% of the overnight guests in Miami-Dade County, but they account for 70% of the visitor spending. About 71% of visitors came for leisure, and 12% for business. A total of 41% of overnight guests stayed on Miami-Beach, and 22% downtown.¹

Miami International Airport (MIA) continues to be an economic engine for Miami-Dade County and the State of Florida. The most recent economic impact study (performed every three years), indicated that MIA has an annual financial impact of \$26.7 billion. MIA and aviation related industries contribute 282, 043 jobs directly and indirectly to the South Florida economy, and are responsible for one out of every four jobs.

The airport offers flights to nearly 150 cities on four continents. MIA's strongest market, the Latin American/Caribbean region, was served by more passenger flights from the airport than any other US Airport. MIA is also a major cargo hub for the Americas. During 2010 (most recent available) the airport handled 83% of all air imports and 81% of all air exports between the USA and Latin American/Caribbean region. In 2011, cargo tonnage totaled 2,006,721 tons, an increase of 0.8% over the prior year. The airport was also the nation's number one airport in international freight and second in international passenger traffic during calendar year 2011.

A major \$6.5 billion renovation project is underway at the airport. Projects totaling \$3.7 billion have been completed (as of 9/30/11, end of most recent fiscal year). Major projects included the new 50-gate "Concourse D", along with the Sky Train to connect the terminal to the airport. Another major project is the MIA Mover, a train linking the airport terminal with off-airport rental car center and ground transportation hub, which is now fully functional.²

Another major economic driver is the Port of Miami, which has a total economic impact of more than \$17 billion a year and generates more than 176,000 jobs. Port revenues last year totaled more than \$101 million.

The Port of Miami offers services to nearly two dozen of the world's leading cargo lines, reaching some 250 ports in more than 100 countries. Cargo activity is expected to increase with the completion of the Miami Harbor Project, deepening the channel along the main cargo berths to a depth of 50 feet. This project is expected to be completed by 2015.

At the Port, cargo activity increased by approximately 7.1% in 2011 over the prior year, compared to an increase of approximately 5.0% in Fiscal Year 2010. Port officials expect cargo activity to increase slightly in Fiscal Year 2012.

The Americas continue to represent a major share of the Seaport's total cargo. For fiscal year 2010, the Americas accounted for approximately 54% (Caribbean—16% South America—16%, Central America and Mexico—22%). This was followed by The Far East, Asia and the Pacific with 32%. The balance of approximately 14% consisted of Europe, North America, Middle East, Southwest Asia,

¹ From Greater Miami Convention and Visitors Bureau 2012 report

² From 2011 Miami-Dade Aviation Department Comprehensive Annual Financial Report

and Africa.³

Metrorail, which opened in 1985, is a 24-mile rapid transit system on an elevated railway providing access to downtown Miami from portions of both south and north Miami-Dade county. It connects with Metromover, the first urban people mover in the country.

Metromover, a 30 station 5-mile system, loops through the center of downtown Miami's Community Business District and connects to some of the major structures. Metrobus provides the feeder system to Metrorail and bus service to all other parts of Miami-Dade County.

A network of 5,640 miles of roadway serves Miami-Dade County of which i-95, i-75, the Florida Turnpike and the Palmetto Expressway (SR-826) are the most utilized north/south highways while SR-112, SR-826 and SR-836 are the most utilized east/west expressways. US-1 and SR-A1A are also components of this network. Other primary thoroughfares include I-395 (east/west), I-195 (east/west), SR-94, SR-874, US-27, US-41 and US-441.

EMPLOYMENT

According to the most recent published report, from August 2012, Florida's unemployment rate increased by 0.2 percentage point in July, to 8.8 percent. Amid this fluctuating month-to-month unemployment rate, the state has continued to see positive annual job growth for 24 consecutive months. Additionally, Florida has gained more than 130,000 private sector jobs since December 2010, and led the nation in July in online job ads gained over the month. Florida was also one of only eight states in the nation that saw an increase in job demand.

Since December 2010, the state's unemployment rate has dropped 2.3 percentage points and has seen an increase of 130,700 private sector jobs. According to the University of Florida's Bureau of Economic and Business Research, consumer confidence in Florida rose in July due to improved perceptions of personal finances and was at the highest level since the end of the recession in December 2009, and state revenue projections have continued to improve.

Job demand increases

According to the Help Wanted On-Line data series from The Conference Board, Florida job postings in July 2012 led the nation in over-the-month growth in job demand with more than 264,000 openings, and increased by almost 30,000 openings compared to July 2011. Major occupational groups with the most online ads in July were sales and related occupations; healthcare practitioners and technical occupations; office and administrative support occupations; and computer and mathematical occupations.

Positive workforce trends

- Florida's unemployment rate has declined year over year for 20 consecutive months
- Florida's unemployment rate has declined or held steady for 12 of the last 13 months
- Florida's job growth month to month has been positive for 10 of the last 13 months

³ From Miami-Dade Seaport Department Comprehensive Annual Financial Report, for fiscal year ended 9/30/2011

Area	JULY 2012				JULY 2011			
	LABOR FORCE	EMPLOY- MENT	UNEMPLOYMENT LEVEL	UNEMPLOYMENT RATE (%)	LABOR FORCE	EMPLOY- MENT	UNEMPLOYMENT LEVEL	UNEMPLOYMENT RATE (%)
Miami-Dade								
Broward								
Palm Beach	2,927,620	2,655,932	271,688	9.3%	2,888,145	2,573,467	314,678	10.9%
Miami-Dade	1,303,121	1,173,523	129,598	9.9%	2,888,145	2,573,467	314,678	10.9%

Information presented in this section from the Florida Department of Economic Opportunity.

The unemployment rate for Miami-Dade County in July 2012 was 9.9 percent, 0.4 percentage points lower than June 2012. During the last year, from July 2011 to July 2012, the unemployment rate fell 1.6 percentage points, from 11.5 percent to 9.9 percent. Between July 2011 and July 2012, Miami-Dade County gained 5,600 new nonagricultural jobs, an increase of 0.6 percent. This was the third largest year-over-year gain in the State of Florida, after the Tampa area and the Orlando area. These are non-seasonally adjusted figures.

The job creation numbers are derived from the U.S. Bureau of Labor Statistics Current Employment Statistics Program (CES), and only account for non-farm payroll jobs. However, the unemployment rates are derived from the U.S. Bureau of Labor Statistics Local Area Unemployment Statistics Program (LAUS), which includes farm payroll jobs as well as self-employed workers.

The July 2012 unemployment rate for the State of Florida was 9.3 percent, an increase of 0.3 percentage points compared to June 2012. The United States unemployment rate was 8.6 percent in July 2012, compared to 8.4 percent in June 2012.

For neighboring Broward County, the unemployment rate in July 2012 was 8.1 percent, an increase of 0.3 percentage points from June 2012 and a decrease of 1.6 percentage points compared to July 2011. For Palm Beach County, the unemployment rate was 9.8 percent, an increase of 0.6 percentage points compared to June 2012 and a decrease of 1.7 percentage points compared to July 2011.

The overall unemployment rate for the tri-county area in July 2012 was 9.3 percent, up from 9.2 percent in June 2012, but down from 10.9 percent in July 2011. The South Florida region (Miami-Ft. Lauderdale-Pompano Beach MSA) added 14,300 non-agricultural jobs between July 2011 and July 2012. Between June 2012 and July 2012 the region lost 16,100 jobs. Again, much of these job losses can be attributed to seasonal fluctuations.

Non-agricultural companies in Miami-Dade County added 5,600 new jobs between July 2011 and July 2012, an increase of 0.6 percent. During this time frame, several sectors saw improvements including Retail Trade, Transportation, Warehousing, and Utilities, Information, Professional and Business Services, Ambulatory Health Care Services, and Hospitals.

Sectors that lost jobs between July 2011 and July 2012 include Construction (-3,900 jobs), Local Government (-3,200 jobs), Manufacturing (-1,000 jobs), Wholesale Trade (-800 jobs), Financial Activities (-600 jobs), Federal Government (-100 jobs), Leisure and Hospitality (-100 jobs), and State Government (-100 jobs).

Sector	July 2011 - July 2012 Job Change (% Change)
Retail Trade	4,900 (+3.8%)
Professional and Business Services	4,800 (+3.6%)
Ambulatory Health Care Services	3,100 (+5.7%)
Hospitals	1,000 (+2.3%)
Transportation, Warehousing, and Utilities	800 (+1.3%)
Information	200 (+1.1%)

Between June 2012 and July 2012, 7,100 nonagricultural jobs were lost (-0.7%). However, it is notable that Professional and Business Services was one of the sectors that experienced job growth during this period.

Most of the job losses between June 2012 and July 2012 were in Local Government (1,800 jobs lost or -1.9%), Leisure and Hospitality (1,400 jobs lost -1.3%), Wholesale Trade (1,300 jobs lost -1.9%), and Transportation, Warehousing, and Utilities (-1,200 jobs lost -1.9%). Other major sectors that lost jobs between June 2012 and July 2012 include Ambulatory Health Care Services (900 jobs lost -1.6%), Manufacturing (500 jobs lost -1.4%), and Construction (400 jobs lost -1.5%).

Sector	June 2012 - July 2012 Job Change (% Change)
Professional and Business Services	1,500 (+1.1%)
Hospitals	700 (+1.6%)
Federal Government	100 (+0.5%)
Information	100 (+0.6%)

Cultural

Known mainly for its trendy nigh-clubs and oceanfront resorts, Miami-Dade County is also a recognized center for the fine arts and the performing arts, offering an array of enriching cultural activities. These include visits to area museums, Broadway plays, the Repertory Theater, the Philharmonic, the Opera Guild, and a large number of historical attractions and exhibits.

The Miami Art Museum, Museum of Contemporary Art, Miami Art Central, Wolfsonian-FIU and the Lowe Art Museum are filled with collections and exhibitions from all parts of the world. Every year, numerous arts festivals make their homes in Miami, including the world renowned Coconut Grove Arts Festival and Art Basel. The annual Art Basel exhibition. The newly opened Adrienne Arsht Center for the Performing Arts. The Miami City Ballet and New World Symphony. Numerous theaters and museums, including the Miami Art Museum and the Wolfsonian at Florida International University.

The Miami Beach Symphony Orchestra and the Greater Miami Opera Association both offer top-notch performances throughout the year. In addition, the Gusman Center features a variety of plays and dance from local, regional, and national troupes.

Clubs and restaurants, including the ever-changing, vibrant South Beach scene. Professional sports teams in football (Dolphins), baseball (Marlins), basketball (Heat) and hockey (Panthers). Attractions like the Miami Seaquarium, MetroZoo, Fairchild Botanical Tropical Garden and Monkey Jungle, and 80 parks. Everglades National Park.

Climate

The subtropical marine climate of the Miami-Dade County area offers an average annual temperature of 75.5 degrees with an average annual low and high of 68.7 and 82.6 degrees respectively. The normal precipitation is 57.6 inches.

Utilities

The following utility companies serve Miami-Dade County:

Telephone	Bellsouth and Others
Gas	Florida Gas Company and Others

EDUCATION

The educational opportunities in Miami-Dade County are numerous. The county is served by over 900 public and private secondary and elementary schools; the public schools alone combined to care for the educational needs of almost 400,000 students in 2007-2008 (most recent available). Seven colleges and universities are located in the county.

Miami-Dade College, formerly a community college, has eight campuses and twenty-one outreach centers located throughout Miami-Dade County. Founded in 1959, Miami Dade is the largest college in the Florida College System with over 161,000 students. Additionally, MDC is also the largest institution of higher education in Florida, and the second-largest in the United States. Miami Dade College's main campus, the Wolfson Campus, is in Downtown Miami.

The University of Miami is a private university located in Coral Gables. As of 2009, the university currently enrolls 15,629 students in 12 separate colleges, including a medical school, law school, and a school focused on the study of oceanography and atmospheric sciences. These colleges offer approximately 115 undergraduate, 114 master's, 51 doctoral, and two professional areas of study. Over the years, the University's students have represented all 50 states and close to 150 foreign countries. With more than 13,000 full and part-time faculty and staff, UM is the sixth largest employer in Miami-Dade County.

Florida International University (FIU) is an American public research university in Greater Miami, Florida, in the United States, with its main campus in University Park in Miami-Dade County. Florida International University is classified as a top-tier Research University with high research activity by the Carnegie Foundation, and is a first-tier research university as designated by the Florida Legislature. Founded in 1965, FIU is the youngest university to be awarded a Phi Beta Kappa chapter by the Phi Beta Kappa Society, the country's oldest academic honor society.

FIU is one of Florida's primary graduate research universities, and awards over 3,000 graduate and professional degrees annually. The university offers 191 programs of study with more than 280 majors in 23 colleges and schools. FIU offers many graduate programs, including architecture, business administration, engineering, law, and medicine, offering 81 master's degrees, 34 doctoral degrees, and 3 professional degrees.

FIU is the 3rd-largest university in Florida, and the largest in South Florida. Total enrollment in 2011 was 47,966 students, including 8,819 graduate students, and 2,974 full-time faculty with over 180,000 alumni around the world. In 2012, FIU's research expenditure was \$104.6 million, with an endowment of \$140 million. The university has an annual budget of \$1.07 billion. Four-year degree programs are also available at Barry University, St Thomas University, Florida Memorial College and Miami Christian College.

According to the ACS data the County is now decidedly more educated. While in 2000 the persons 25 years and over who had not graduated from high school stood at 32%, by 2010 this figure had gone down to 23%. At the same time, those who held a bachelor's degree or higher went up from 21% percent to 25% percent.

Comparison of 2000 and 2010 Selected Characteristics

Miami-Dade County

	2010	2000
	Percent	Percent
Educational Attainment		
Percent high school graduate or higher	77.0%	67.9%
Percent bachelor's degree or higher	25.2%	21.7%

Source: U.S. Census Bureau, Decennial Census 2000 and American Community Survey 2010.

The following Chart list Miami-Dade County's largest private employers:

Company	# Employees
University of Miami	16,000
Baptist Health South Florida	13,376
Publix Super Markets	10,800
American Airlines	9,000
Precision Response Corporation	5,000
Florida Power & Light Company	3,840
Carnival Cruise Lines	3,500
Winn-Dixie Stores	3,400
AT&T	3,100
Mount Sinai Medical Center	3,000
Miami Children's Hospital	2,800
Sedanos Supermarkets	2,500
Wachovia, A Wells Fargo Co.	2,179
Assurant Solutions	2,100
Bank of America	2,000
Royal Caribbean International/Celebrity Cruises	1,880
Beckman Coulter Corp.	1,400
United Parcel Service	1,150
Federal Express	1,134
Eulen America	1,000
Miami Herald Publishing Co.	850
BankUnited	750
Regions Bank	700
Ocean Bank	633
SunTrust Bank	400

The following Chart list Miami-Dade County's largest public employers:

Agency	# Employees
Miami-Dade County Public Schools	48,571
Miami-Dade County	29,000
Federal Government	19,500
Florida State Government	17,100
Jackson Health System	12,571
Florida International University	8,000
Miami-Dade College	6,200
City of Miami	4,309

Conclusion

The CB Richard Ellis 2010 Florida Market Perspective sees a slow, steady recovery taking hold, forecasting improvement in job growth, capital liquidity and sales and leasing activity levels.

In its Florida & Metro Forecast report, the Institute for Economic Competitiveness at UCF predicts that 2010 will end with "a slowly expanding economy, tepid job growth, and the start of an extended period of slowly declining unemployment rates." Real Gross State Product, the report says, will increase this year through 2013 at an average rate of 1.8%, with growth really starting to accelerate just over a year from now.

The state's jobless rate is still in double digits. January 2010 foreclosures were 15% higher than a year earlier. And commercial real estate will remain a drag on Florida's economy throughout the year.

Most economists think Miami has bottomed out and believe businesses will start to grow again this year. However, no one is predicting unemployment will improve much. "I think that the signs point to the fact that the unemployment rate is going to remain relatively high for 2010," says Frank Nero, president and CEO of Miami-Dade's economic development partnership, the Beacon Council. "A lot of that was in the construction side, and we don't see that having any immediate uptick."

To see real job growth, says Nero, "we would like to see, in the short term, construction back and financial services back, (and in the long term) more knowledge-based industries, more green industries and increased foreign direct investment." The area's tourism industry held steady in 2009. Average occupancy rose 10.6% to 74.6% and revenue per available room was up 3.9%, but the increases came on the back of room rates, which were down 7%, to an average of \$166.28.

There are also some indicators that the housing market has bottomed out, with sales of existing single-family homes hitting 6,685 in 2009, up from 4,379, and the median sales price falling to \$195,300, down 29%, according to the Florida Association of Realtors. Condominium sales seemed to be stabilizing as well, and by the end of the year, the number of new condo units for sale in greater downtown Miami had fallen to 7,265, from 9,631 at the end of 2008.

14020 W. DIXIE LLC

14036 W. Dixie Hwy.
North Miami, FL 33161

August 19th, 2014

Mrs. Pandya Bhairvi, City Planning or To Whom It May Concern:

This letter shall serve to confirm our agreement with the appraised value of the property of \$83,000.00 less 10% to combine with the application process.

I Alberto Dayan, will work with the third property owner to obtain a letter of no objection on abandonment application and to waive their rights to the half of 20 ft. of alleyway. The third property owner is POIDELINE X ALMONORD at 1211 NE 140 ST with folio 06-2219-015-2370.

If you have any questions please feel free to contact us.



Alberto Dayan

Management Member

(786) 229-9800

WDHY 140 LLC

1111 Kane Concourse, Suite 517.
Bay Harbor Islands, FL 33154

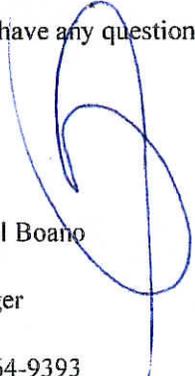
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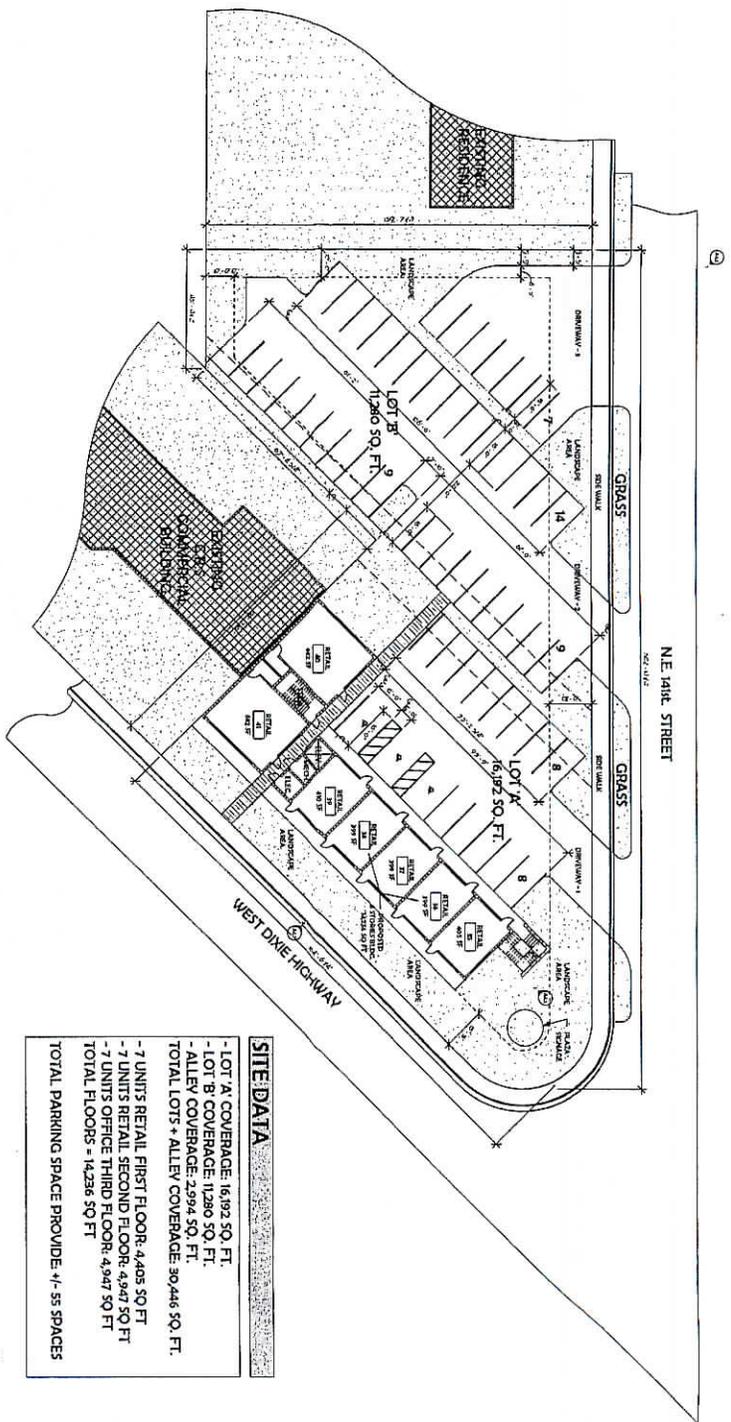
If you have any questions please feel free to contact us.



Gabriel Boano

Manager

305-864-9393



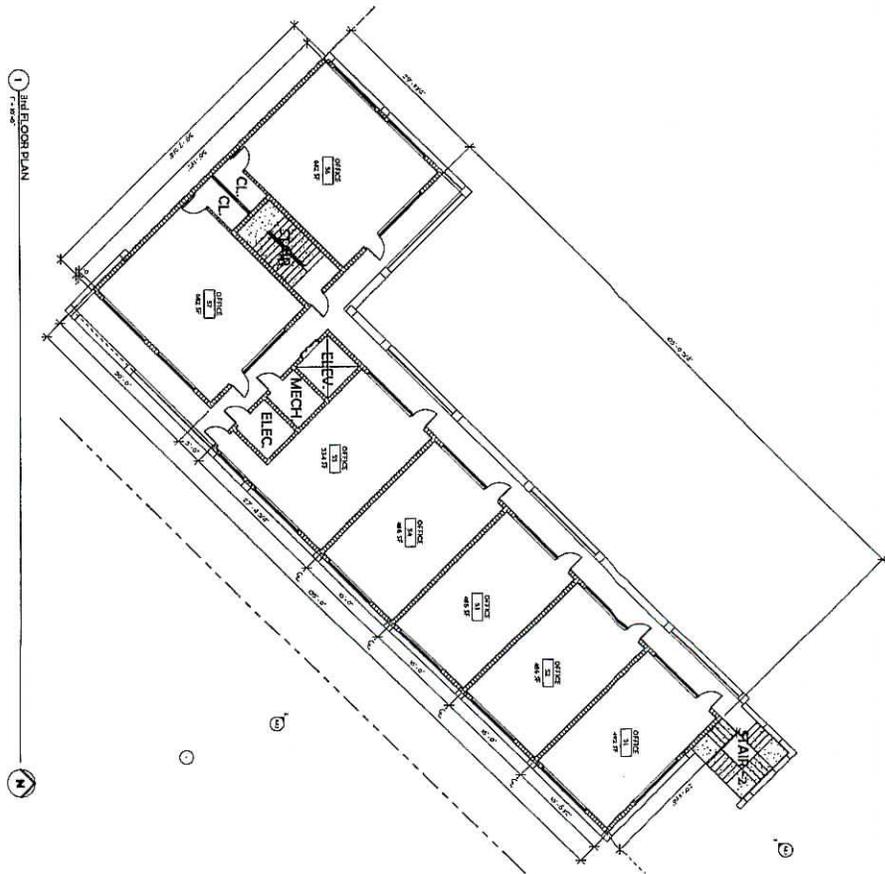
1 SITER PLAN - OPTION 2
1/28/00



SITE DATA	
- LOT A' COVERAGE:	16,192 SQ. FT.
- LOT B' COVERAGE:	11,280 SQ. FT.
- ALLEY COVERAGE:	2,994 SQ. FT.
TOTAL LOTS + ALLEY COVERAGE:	30,446 SQ. FT.
- 7 UNITS RETAIL FIRST FLOOR:	4,405 SQ. FT.
- 1 UNITS RETAIL SECOND FLOOR:	4,947 SQ. FT.
- 1 UNITS OFFICE THIRD FLOOR:	4,947 SQ. FT.
TOTAL FLOORS =	14,298 SQ. FT.
TOTAL PARKING SPACE PROVIDED +/-	55 SPACES

<p>SKLAR Architects</p> <p>408 N. 14th St. Lynch, Alaska</p>	<p>NEW EXTERIOR BUILDING FOR: GABRIEL BOANO</p> <p>ADDRESS LINE 1: ADDRESS LINE 2:</p>
	<p>DATE: 10/20/00</p> <p>PROJECT #: 20000</p> <p>A1.2</p>

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1 1st FLOOR PLAN



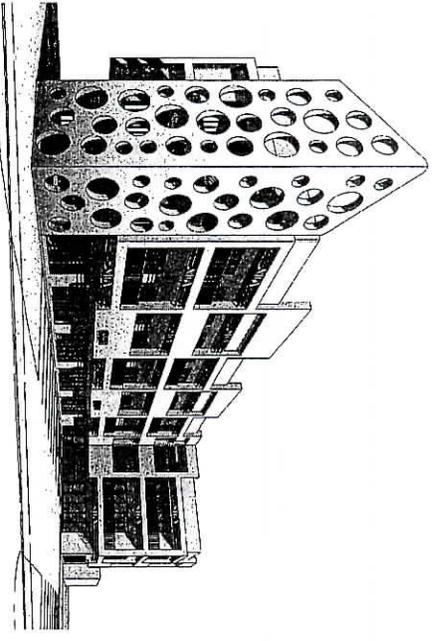
SKLAR Architecture
 1001 N. 10th St.
 Phoenix, AZ 85004
 (602) 254-1111
 www.sklar.com

NEW EXTENSIVE BUILDING FOR:
GABRIEL BOANO
 ADDRESS LINE 1
 ADDRESS LINE 2

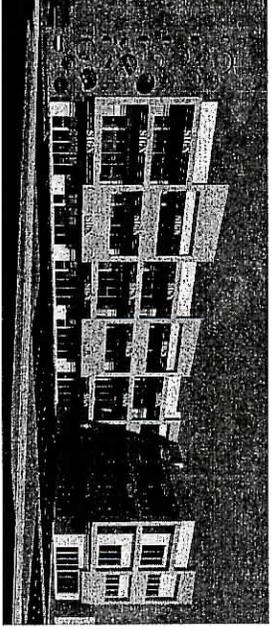
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 PROJECT: A 2000X
 SHEET: A2.2

A2.2

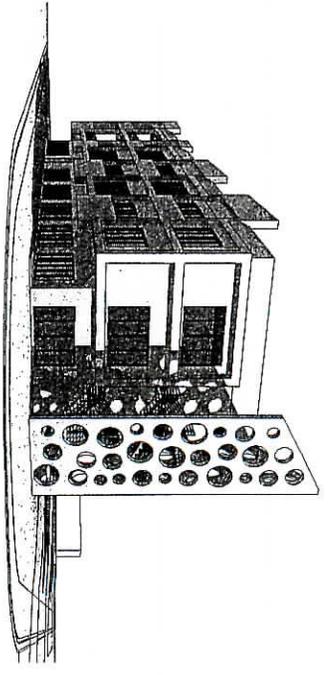
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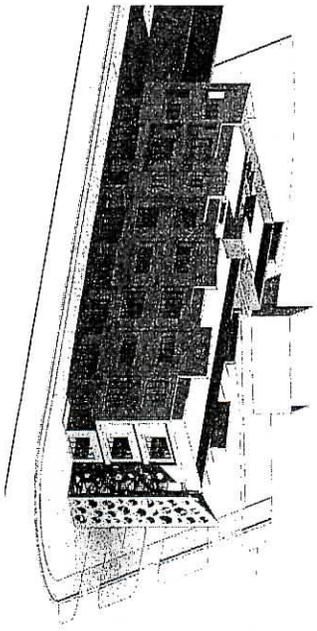
4 3D VIEW 4
E-VIEW 02



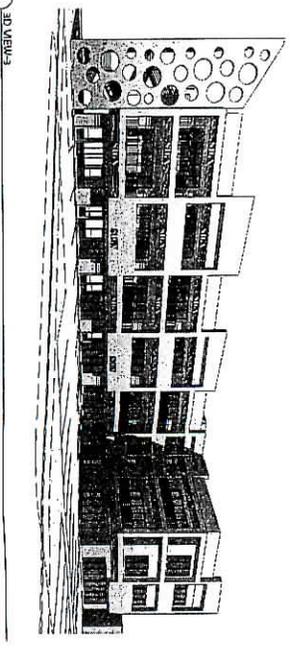
5 3D VIEW 5
E-VIEW 02



1 3D VIEW 1
E-VIEW 02



2 3D VIEW 2
E-VIEW 02



6 3D VIEW 6
E-VIEW 02

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SKLAR
ARCHITECTURE
1000 UNIVERSITY AVE
BERKELEY, CA 94704

REVISIONS

NEW EXTERIOR BUILDING FOR:
GABRIEL BOANO
ADDRESS LINE 1
ADDRESS LINE 2

PROJECT SET
 REVISIONS
 REVISED DRAWING
 NEW DRAWING
 CONSTRUCTION SET

ISSUED BY:
DESIGNED BY:
ARCHITECT

A5.1

PROJECT # 20-002
DATE: 05-03-00

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Date: September 2, 2014

To: Planning Commission

From: Bhairvi Pandya, AICP, City Planner, Community Planning & Development 

Re: Brownfield Area Designation – Rucks Park Site, located at 13780 NE 5th Avenue, North Miami, FL 33161 (Folio No. 06-2219-000-1620)

A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, , FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY IDENTIFIED BY MIAMI-DADE COUNTY FOLIO NO. 06-2219-000-1620, AS FURTHER IDENTIFIED BY THE MAP IN THE ATTACHED EXHIBIT “A”, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, FOR THE PURPOSE OF ENVIRONMENTAL REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

RECOMMENDATION

Staff requests that the Planning Commission recommends approval of the proposed resolution designating the 6.319 acre property owned by the City and formerly also known as the Rucks Park located at 13780 NE 5th Avenue, North Miami, Miami-Dade County, FL 33161, folio number 06-2219-000-1620 (the “Subject Property”), as a brownfield area and forward to City Council for final approval.

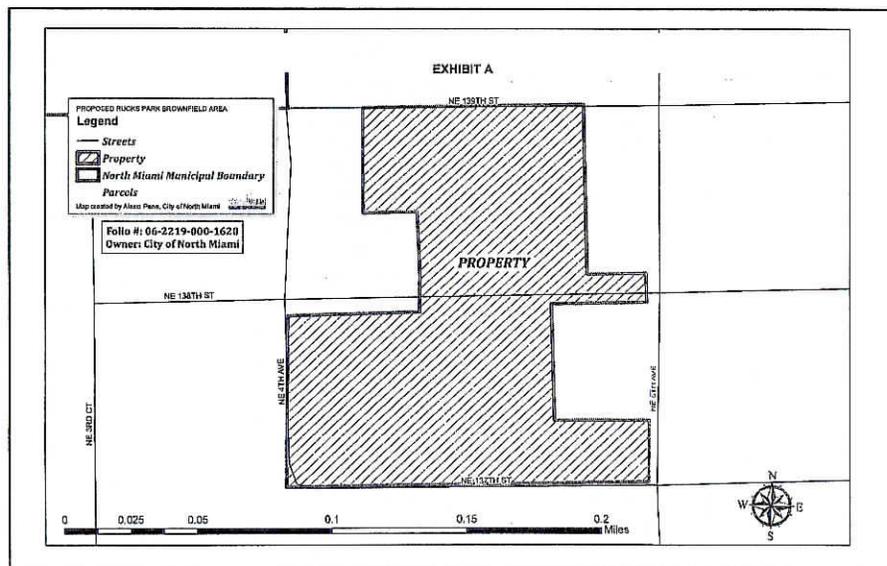
BACKGROUND

The Subject Property was previously operated from 1963 to 1983 as a wastewater treatment plant, which included use of a portion of the Subject Property as a plant nursery. Former site uses at the Subject Property have resulted in documented on and off-site soil and groundwater that exceed state regulatory cleanup target levels, which will require the City to clean up the Subject Property in accordance with applicable State and Miami-Dade County environmental regulatory standards. Designating the Subject Property a brownfield area prior to initiating cleanup will enable the City to pursue brownfield-related financial incentives and liability protections in connection with the environmental cleanup. Please see survey of the subject property as Attachment 2. Following completion of any necessary environmental remediation the City will be able to increase utilization and the general condition of the vacant Subject Property by redeveloping it for conservation, recreation, healthcare, and/or residential uses.

The site map attached as Exhibit A shows the location of the Subject Property.

Overview

The purpose of designating a brownfield area is to promote environmental restoration and economic redevelopment, and more sustainable growth patterns, among other purposes. Environmental restoration of vacant or underutilized property has historically demonstrated to remove stigma, reduce blight, improve air and stormwater quality, eliminate environmental health hazards, and in turn, spur redevelopment and revitalization. By statutory definition, brownfields encompass real property where expansion, redevelopment, or reuse of which has been or may be complicated by actual or perceived environmental contamination.



Since 1997, the Florida Brownfields Program (“FPB”) has made a wide array of financial, regulatory, and technical incentives available to local governments, businesses, and communities to catalyze environmental cleanup and economic redevelopment of marginalized or otherwise underutilized properties. In doing so, the FPB has encouraged confidence in neighborhood revitalization and investment of private capital in land reuse and job creation in hundreds of communities throughout Florida. According to figures provided by the State of Florida Department of Environmental Protection (“FDEP”), as of August 2013, 341 areas covering more than 234,499 acres have been designated as brownfields, generating over \$2.4 billion in private capital investment. Brownfield areas have enjoyed a wide range of redevelopment uses, including affordable housing, community health clinics, retail and commercial, renewable energy, transportation facilities, and conservation and recreation.

The Designation Process and Analysis

Pursuant to Florida Statutes, to initiate the brownfield area designation process, a local government must follow the applicable procedures specified in Section 376.80, including (1) pass the resolution attached hereto as Attachment 1; (2) notify the FDEP and Miami-Dade County Department of Regulatory and Economic Resources of its decision to adopt the brownfield area designation resolution; (3) and provide notice to the public in accordance with §§ 376.80(1)(c) and § 166.041(3)(c)2, Florida Statutes. Additionally the City may consider the following four criteria:

1. whether the proposed brownfield area warrants economic development and has a reasonable potential for such activities;
2. whether the proposed brownfield area represents a reasonably focused approach and is not overly large in geographic coverage;
3. whether the proposed brownfield area has potential to interest the private sector in participating in rehabilitation; and
4. whether the proposed brownfield area contains a portion of the site suitable for limited recreational open space, cultural, or historical preservation purposes.

Note that for brownfield area designations initiated by a local government, where the proposed brownfield area is located within a community redevelopment area, the brownfield statute does not require the local government to consider the aforementioned enumerated criteria. Rather, the local government may simply consider them in connection with its deliberations and determination. Staff has considered the factors in making this recommendation that the proposed designation of the Rucks Park Brownfield Area is appropriate and concludes as follows:

1. The proposed brownfield area warrants economic development and, with the brownfields area designation, has a reasonable potential for such activities. Currently, the area is fallow and economically unproductive due, in part, to the environmental risk associated with returning the area to beneficial use. A designation will enable the area to receive financial and regulatory incentives specifically created to encourage voluntary cleanup and redevelopment of the area. Specifically, a designated brownfield area can be eligible to receive a sales tax credit on building materials purchased for the construction of certain types of projects, receive state loans guarantees, receive tax credits for costs incurred in connection with voluntary cleanup, as well as access to state and federal grants. Please note that with respect to the tax credits, although local governments do not pay Florida corporate income taxes, the tax credits can be transferred to an entity that has Florida corporate income tax liability or sell them on a secondary market for approximately .80 cents per dollar. Accordingly, the adoption of a brownfield designation resolution is a

critical first step to unlocking resources and incentives targeted at rebuilding the environment and improving quality of life for local residents.

2. The proposed brownfield area represents a reasonably focused approach and is not overly large in geographic coverage. Based on Staff's analysis of the 341 brownfield designations adopted in the State of Florida through August 1, 2013, approximately 97 are between .5 acres and 10 acres in size. This number represents over 28% of all designated brownfield areas. The proposed area to be designated by the City is both manageable and reasonably focused, and presents suitable conditions for the City to undertake environmental rehabilitation and redevelopment.
3. Designating the area a brownfield will spark further interest in the private sector in participating in rehabilitation. The significant financial regulatory, technical, and liability incentives that become available upon designation of a brownfield area have historically been demonstrated to increase developer and end-user investment and activity both onsite and in the general vicinity of the brownfield area. A complete list of such incentives can be found at Exhibit B.
4. While the brownfield designation criteria do not require that the redeveloped Subject Property include recreational open space, the City is carefully considering including such uses in the final redevelopment site plan. Staff concludes that there is nothing specific about the proposed brownfield area that makes it suitable for cultural or historical preservation purposes.

Impact of the Brownfield Area Designation on the City of North Miami

Approval of designating the Subject Property a brownfield area will not create any legal or financial obligation for rehabilitation and remediation for the City that the City does not already have due to its ownership of the Subject Property. Accordingly, adoption of Staff's recommendation to approve the designation request will not adversely impact the City's operations.

CONCLUSION

Based on the above analysis, Staff is of the opinion that designating the Subject Property a brownfield area directly aligns with the City's efforts to spark environmental rehabilitation and increase redevelopment. Additionally, Staff concludes that the City has complied with the applicable procedural requirements for designation of a brownfield in accordance with Section 376.80, Florida Statutes, and has demonstrated that the statutorily enumerated considerations have been adequately considered. Therefore, Staff requests that the Planning Commission recommend that the City Council approve the attached brownfield area resolution for the Subject Property.

TWS/bp

Attachments:

1. Proposed Resolution
2. Survey of subject property
3. Exhibit A – Site Map for the Subject Property
4. Exhibit B - Florida Brownfields Program Financial Incentives

RESOLUTION NO. _____

A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, , FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY IDENTIFIED BY MIAMI-DADE COUNTY FOLIO NO. 06-2219-000-1620, AS FURTHER IDENTIFIED BY THE MAP IN THE ATTACHED EXHIBIT "A", AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, FOR THE PURPOSE OF ENVIRONMENTAL REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, the State of Florida has provided, in Chapter 97-277, Laws of Florida, which is codified at Sections 376.77 through 376.86, Florida Statutes (2014), for the designation of a "brownfield area" by local government adoption of a resolution in order to promote environmental remediation and redevelopment and economic development and revitalization; and

WHEREAS, the proposed brownfield area consists of property formerly occupied by the Rucks Park Wastewater Treatment Plant, Miami-Dade County Folio No. 06-2219-000-1620 (hereinafter the "Rucks Park Site") as shown in the attached Exhibit "A" and more particularly described in Exhibit "B" (both attached hereto); and may be developed for conservation, recreation, healthcare, and/or residential uses; and

WHEREAS, the City of North Miami, Florida (the "City") owns the Rucks Park Site and is designating it as a "brownfield area" pursuant to Section 376.80, Florida Statutes (2014); and

WHEREAS, the Vice Mayor as acting Mayor and City Council have reviewed the relevant procedures that apply in designating a "brownfield area," as specified in Section 376.80, Florida Statutes (2014), and find the City in compliance with the statutory requirements; and

WHEREAS, proper notice of the designation of the proposed brownfield area has been provided in accordance with Section 376.80(1)(c) and Section 166.041(3)(c)2, Florida Statutes (2014); and

WHEREAS, the City Council finds as follows:

1. The proposed brownfield area warrants economic development and has a reasonable potential for such activities;
2. The proposed brownfield area represents a reasonably focused approach and is not overly large in geographic coverage;
3. The proposed brownfield area has potential to interest the private sector in participating in rehabilitation; and
4. The proposed brownfield area contains a portion of the site suitable for limited recreational open space; and

WHEREAS, the Vice Mayor as Acting Mayor and City Council have determined that the proposed brownfield area designation on the subject property is in the best interest of the City, and advantageous to the public health, safety and welfare; and

WHEREAS, the City desires to notify the Florida Department of Environmental Protection of its resolution designating the Rucks Park Site a “brownfield area” to further its rehabilitation and redevelopment for the purposes enunciated under Sections 376.77 through 376.86, Florida Statutes (2014).

NOW, THEREFORE, BE IT RESOLVED BY THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

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

Section 2. Adoption of Representations. The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, find that the City has satisfied the

requirements to designate a proposed brownfield area set forth in Section 376.80, Florida Statutes (2014).

Section 3. **Property Designation.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby designate the area depicted on Exhibit "A" and described on Exhibit "B", attached hereto and incorporated herein by reference, as a "brownfield area" for purposes of Sections 376.77 through 376.86, Florida Statutes (2014).

Section 4. **Authorization to City Clerk.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Clerk to notify the Florida Department of Environmental Protection of the City Council's resolution designating the Rucks Park Site a "brownfield area" for purposes of Sections 376.77 through 376.86, Florida Statutes (2014).

Section. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Vice-Mayor as Acting Mayor and City Council of the City of North Miami, Florida, this ____ day of _____ 2014.

PHILIPPE BIEN-AIME
VICE MAYOR AS ACTING MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Vice Mayor as Acting Mayor Philippe Bien-Aime
Councilperson Marie Erlande Steril
Councilperson Carol Keys, Esq.
Councilperson Scott Galvin

_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)

LEGAL DESCRIPTION

Folio No. 06-2219-000-1620

A PORTION OF THE NORTHWEST ONE-QUARTER (N.W. $\frac{1}{4}$), OF THE SOUTHEAST ONE-QUARTER (S.E. $\frac{1}{4}$), OF THE SOUTHWEST ONE-QUARTER (S.W. $\frac{1}{4}$) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOGETHER WITH A PORTION OF THE RIGHT-OF-WAY FOR N.E. 138th STREET (TO BE VACATED) AS SHOWN ON THE PLAT OF HYSTAN SUBDIVISION, RECORDED IN PLAT BOOK 66, PAGE 77 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHWEST ONE-QUARTER (N.W. $\frac{1}{4}$), OF THE SOUTHEAST ONE-QUARTER (S.E. $\frac{1}{4}$), OF THE SOUTHWEST ONE-QUARTER (S.W. $\frac{1}{4}$); THENCE SOUTH 00°04'49" WEST, ALONG A PORTION OF THE EAST LINE OF SAID NORTHWEST ONE-QUARTER (N.W. $\frac{1}{4}$), OF THE SOUTHEAST ONE-QUARTER (S.E. $\frac{1}{4}$), OF THE SOUTHWEST ONE-QUARTER (S.W. $\frac{1}{4}$), A DISTANCE OF 359.34 FEET; THENCE NORTH 89°57'26" WEST, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF N.E. 5th AVENUE; THENCE CONTINUE NORTH 89°57'26" WEST, A DISTANCE OF 167.71 FEET; THENCE SOUTH 00°19'48" WEST, A DISTANCE OF 170.00 FEET; THENCE NORTH 89°40'12" EAST, A DISTANCE OF 166.50

FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE; THENCE SOUTH 00°04'49" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 109.84 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF S.W. 137th STREET, SAID LINE ALSO BEING 25.00 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID NORTHWEST ONE-QUARTER (N.W. $\frac{1}{4}$), OF THE SOUTHEAST ONE-QUARTER (S.E. $\frac{1}{4}$), OF THE SOUTHWEST ONE-QUARTER (S.W. $\frac{1}{4}$); THENCE NORTH 89°40'12" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 638.15 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST ONE-QUARTER (N.W. $\frac{1}{4}$), OF THE SOUTHEAST ONE-QUARTER (S.E. $\frac{1}{4}$), OF THE SOUTHWEST ONE-QUARTER (S.W. $\frac{1}{4}$); THENCE NORTH 00°06'41" EAST, ALONG SAID WEST LINE, A DISTANCE OF 282.31 FEET; THENCE NORTH 89°45'19" EAST, A DISTANCE OF 229.90 FEET; THENCE NORTH 00°12'45" WEST, A DISTANCE OF 144.51 FEET; THENCE SOUTH 89°47'15" WEST, A DISTANCE OF 96.08 FEET TO A POINT ON THE EAST LINE OF SANTEE ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 115, PAGE 96 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE NORTH 00°06'41" EAST, ALONG SAID EAST LINE, A DISTANCE OF 187.34 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF SAID SANTEE ESTATES; THENCE NORTH 89°47'15" EAST, ALONG A LINE 25.00 FEET SOUTH AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID NORTHWEST ONE-QUARTER (N.W. $\frac{1}{4}$), OF THE SOUTHEAST ONE-QUARTER (S.E. $\frac{1}{4}$), OF THE SOUTHWEST ONE-QUARTER (S.W. $\frac{1}{4}$) A DISTANCE OF 399.01 FEET TO A POINT ON THE EAST LINE OF THE WEST 532 FEET OF SAID NORTHWEST ONE-QUARTER (N.W. $\frac{1}{4}$), OF THE SOUTHEAST ONE-QUARTER (S.E. $\frac{1}{4}$), OF THE SOUTHWEST ONE-QUARTER (S.W. $\frac{1}{4}$), SAID LINE BEING COINCIDENT WITH THE WEST LINE OF SAID HYSTAN SUBDIVISION; THENCE SOUTH 00°06'41" WEST, ALONG SAID WEST LINE, A DISTANCE OF 281.60 FEET TO THE SOUTHWEST CORNER OF LOT 3 OF SAID HYSTAN SUBDIVISION; THENCE NORTH 89°43'44" EAST, ALONG THE SOUTH LINE OF SAID LOT 3 AND ITS EASTERLY EXTENT/ON A DISTANCE OF 105.96 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF N.E. 5th AVENUE; THENCE SOUTH 00°04'49" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 52.74 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 6.319 ACRES (275,256 SQUARE FEET) MORE OR LESS.

EXHIBIT A

PROPOSED RUCKS PARK BROWNFIELD AREA

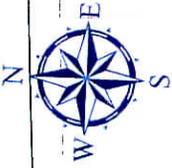
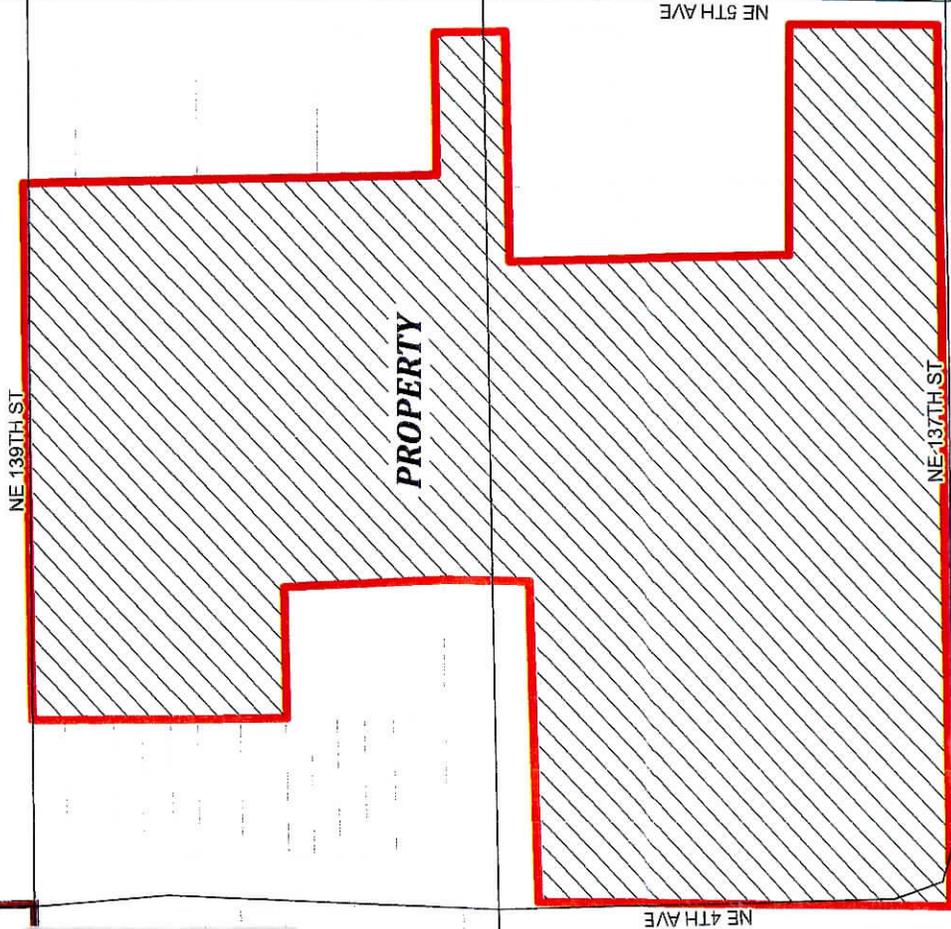
Legend

- Streets
- ▨ Property
- ▭ North Miami Municipal Boundary
- Parcels

Map created by Alexis Pana, City of North Miami



Folio #: 06-2219-000-1620
Owner: City of North Miami



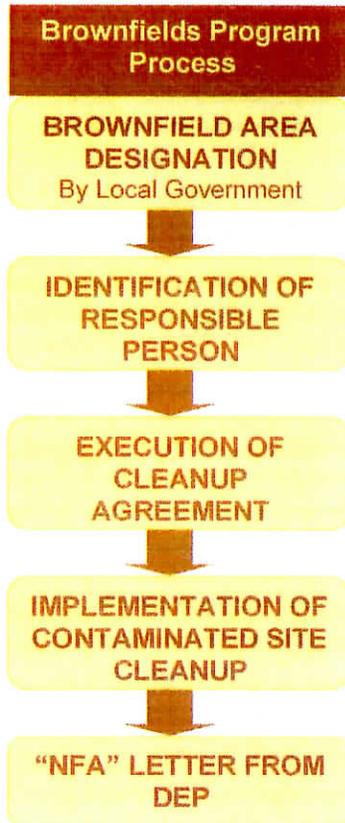


FLORIDA BROWNFIELDS REDEVELOPMENT PROGRAM

TRANSFORMING COMMUNITIES

Brownfield site means real property, the expansion, redevelopment or reuse of which may be complicated by actual or perceived environmental contamination. 376.79(3), F.S.

Brownfield area means a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency-designated brownfield pilot projects. 376.79(4), F.S.



BROWNFIELD PROGRAM TERMS

Responsible Person—Person Responsible for Brownfield Site Rehabilitation or PRFBSR

Agreement—Brownfield Site Rehabilitation Agreement or BSRA

NFA—No Further Action (i.e., Site Rehabilitation Completion Order or SRCO)

BROWNFIELDS PROGRAM BENEFITS

Brownfield Area Designation

- Bonus refund for job creation—up to \$2,500 per job
- Loan guarantees for primary lenders
 - ◆ Up to 50% on all sites
 - ◆ Up to 75% when end use is affordable housing
- Sales tax credit on building materials
- Brownfield area benefits administered by Enterprise Florida, Inc.

Brownfield Site Rehabilitation Agreement

- All benefits of Brownfield Area
- Regulatory framework for cleanup (Chapter 62-785, F.A.C.)
- Dedicated staff—expedited technical review
- Liability protection
- Tax credits
 - ◆ Florida corporate income tax
 - ◆ Credits may be transferred one time
- Brownfield Site Rehabilitation Agreement benefits administered by DEP

Summary of Available Tax Credits

Tax Credit Type	Application Frequency	Maximum Credit for Costs Incurred after 6/30/06	
Site Rehabilitation	Annually	50%	\$500,000
No Further Action (i.e. SRCO)	Once	25%	\$500,000
Affordable Housing, health care facility or health care provider	Once	25%	\$500,000
Solid Waste (Removal, Transport, and Disposal)	Once	50%	\$500,000