

RESOLUTION NO. 2024-R-99

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT, AND SALE OF A PORTION OF A CITY OWNED ROADWAY, LOCATED AT N.E. 123RD TERRACE BETWEEN NE 17TH AVENUE AND BISCAYNE BOULEVARD; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE THE SALE OF SAID SECTION OF PUBLIC LAND AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE SAME; PROVIDING FOR EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, Article 3, Division 9 of the City's Land Development Regulation provides uniform review standards for the abandonment of rights of ways within the City of North Miami as it pertains to streets, alleyways, sidewalks, and easements; and

WHEREAS, pursuant to Section 3-902 to 3-903 of the Land Development Regulations, the City is desirous of supporting vacation or abandonment requests that provide a benefit to the public: safety, welfare, and convenience, while having a positive fiscal impact on the City; and

WHEREAS, the City Administration has reviewed the impact of the proposed vacation, /abandonment and found that the portion of N.E. 123rd Terrace located between NE 17th Avenue and Biscayne Boulevard is a dead-end street where vehicles are currently parked and stored and provides no benefit to the public; and

WHEREAS, as proposed, the overall benefit anticipated to result from the abandonment of the subject roadway far outweighs the specific benefit derived from the current use of the right of way; and

WHEREAS, per Article 1, Section 3 of the City Charter and Article 3, Division 9, Section 3-902 of the LDRs, two (2) appraisals are necessary to determine the fair market value of the subject fee-simple portion of the public street; and

WHEREAS, Article 1, Section 3 of the City Charter, states that no city-owned property shall be sold for less than ninety (90) percent of the appraised value of the property as determined by at least two (2) city secured MAI appraisals; and

WHEREAS, these appraisal reports, which were prepared by Miami Appraisal Solutions, Inc., and Aucamp, Dellenback & Whitney Appraisers and Consultants, value the fee-simple alleyway at \$1,770,000.00 and \$1,700,000.00, respectively; and

WHEREAS, contingent upon approval by the Mayor and City Council, the purchase price for the portion of the subject street abutting the Applicant's property shall be no less than \$1,593,000.00, which is ninety (90) percent of the highest appraised value; and

WHEREAS, the Planning Commission after a duly noticed public hearing held on March 5, 2024, reviewed the proposed abandonment application, and found that the request is in harmony with the goals, objectives and policies of the Comprehensive Plan and meets the established standards of Article 3, Division 9, Section 903 of the City's Land Development Regulations and recommended approval to the City Council; and

WHEREAS, the City Council, after a duly noticed public hearing held on June 25, 2024, accepted the Planning Commission's recommendation and approved the resolution.

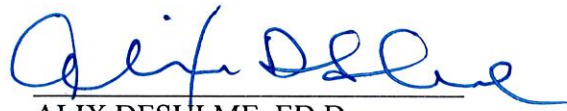
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AS FOLLOWS:

Section 1. Negotiate the Sale of Land. The Interim City Manager is hereby authorized to negotiate the sale of said public lands by taking all necessary steps to obtain an appraisal and finalize the transfer of ownership of said property.


Section 2. Vacation, abandonment, of right-of-way. The right-of-way as described in Exhibit "A" shall be vacated, abandoned, and/or closed and the lands shall revert equally by means of unity of titles to all abutting property owners and shall be recorded with the Miami-Dade County Clerk of Courts by the applicant within forty-five (45) days from adoption.

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

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 25th day of June, 2024.


ALIX DESULME, ED.D.
MAYOR

ATTEST:



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Charles

Seconded by: Galvin

Vote:

Mayor Alix Desulme, Ed.D.	<u>X</u>	(Yes)	<u> </u>	(No)
Vice-Mayor Mary Estimé-Irvin	<u>X</u>	(Yes)	<u> </u>	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	<u> </u>	(No)
Councilwoman Cassandra Timothe, MPA	<u>X</u>	(Yes)	<u> </u>	(No)
Councilman Pierre Frantz Charles, M.Ed.	<u>X</u>	(Yes)	<u> </u>	(No)

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH MIAMI
CITY COUNCIL ON THIS 3rd DAY OF July, 2024.