

RESOLUTION 2018-_____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING A PORTION OF THE REAL PROPERTY LOCATED AT 2300 PINE TREE DRIVE, MIAMI BEACH, FLORIDA 33140-4674, BEARING FOLIO NUMBER 02-3227-000-0100, AS A BROWNFIELD AREA PURSUANT TO FLORIDA STATUTES SECTION 376.80(2)(A), FOR THE PURPOSE OF REHABILITATION, JOB CREATION, AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, a brownfield site is defined at Florida Statutes § 376.79(4) to mean the real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination; and

WHEREAS, a brownfield area is defined at Florida Statutes § 376.79(3) to mean 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 resolution; and

WHEREAS, the State of Florida has provided, in § 97-277, Laws of Florida, which is codified at Florida Statutes §§ 376.77 – 376.85 for the designation by resolution of certain contiguous areas consisting of one or more brownfield sites as “Brownfield Areas,” for the purpose of encouraging rehabilitation (including remediation), job creation, and economic redevelopment; and

WHEREAS, the City of Miami Beach desires to designate a Brownfield Area within the city limits of the City for purposes of encouraging rehabilitation (including remediation), job creation, and economic redevelopment; and

WHEREAS, the property desired to be designated as a Brownfield Area is described and depicted in Exhibit “A” to this Resolution and assigned Folio Identification Number 02-3227-000-0100 (the “Subject Property”) by the Miami-Dade County Property Appraiser; and

WHEREAS, the City of Miami Beach has considered the criteria set forth in Florida Statutes § 376.80(2)(a)1-4, namely:

- (i) whether the proposed Brownfield Area warrants economic development and has a reasonable potential for such activities;

- (ii) whether the proposed Brownfield Area represents a reasonably focused approach and is not overly large in geographic coverage;
- (iii) whether the proposed Brownfield Area has potential to interest the private sector in participating in remediation, rehabilitation and economic development, and
- (iv) whether the proposed Brownfield Area contains sites or parts of sites suitable for limited recreational open space, cultural or historical preservation purpose; and

WHEREAS, the applicable procedures set forth in Florida Statutes § 376.80 and § 166.041, have been followed and proper notice has been provided in accordance with Florida Statutes § 376.80(1) and § 166.041(3)(c)2; and

WHEREAS, such designation shall not render the City of Miami Beach liable for costs of site rehabilitation, including remediation, or source removal, as those terms are defined in §§ 376.79(19) and (20), Florida Statutes, or for any other costs, above and beyond those costs attributed to the adoption of this Resolution; and

WHEREAS, the City of Miami Beach wishes to notify the Florida Department of Environmental Protection of its decision to designate the Subject Property as a Brownfield Area for rehabilitation for purposes set forth in Florida Statutes §§ 376.77-376.85.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That the recitals and findings set forth in the whereas clauses to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

SECTION 2. That the Subject Property, comprised of approximately 22.8 acres, and incorporated herein by reference is hereby designated as a Brownfield Area for environmental remediation, rehabilitation, and economic development for the purposes set forth in Florida Statutes §§ 376.77 – § 376.85 and shall hereinafter be referred to as the “Former Par 3 Green Reuse Area.”

SECTION 3. That the City Manager is hereby authorized to notify the Florida Department of Environmental Protection of the City Commission’s resolution designating the Subject Property as the Former Par 3 Green Reuse Area for purposes of Florida Statutes §§ 376.77-376.85.

SECTION 4. This Resolution shall become effective immediately upon passage.

PASSED and ADOPTED this _____ day of _____, 2018.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granada, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

[Signature] 4/29/18
City Attorney Date

Exhibit A

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SECTION 27, TOWNSHIP 53 SOUTH, RANGE 42 EAST IN THE CITY OF MIAMI BEACH, DADE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TRACT A-B-C-D-E-F-G-H-I-J-A AS SHOWN AND DESCRIBED AS "RESERVED PROPERTY" IN THE DEED FROM THE CITY OF MIAMI BEACH, FLORIDA TO THE BOARD OF PUBLIC INSTRUCTION OF DADE COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 976 AT PAGE 566 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE $N06^{\circ}13'57''E$ ALONG THE EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE FOR 298.87 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE AND ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF $32^{\circ}20'25''$ FOR 169.33 FEET TO THE POINT OF TANGENCY; THENCE $N38^{\circ}34'22''E$ ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE FOR 149.01 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE AND THE ARC OF SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF $35^{\circ}39'00''$ FOR 124.44 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 28TH STREET AND THE POINT OF TANGENCY; THENCE $N74^{\circ}13'22''E$ ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEST 28TH STREET FOR 986.95 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEST 28TH STREET AND THE ARC OF SAID CURVE HAVING A RADIUS OF 48.50 FEET AND A CENTRAL ANGLE OF $90^{\circ}46'31''$ FOR 76.84 FEET TO A POINT OF NON-TANGENTIAL INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE, WITH SAID POINT OF NON-TANGENTIAL INTERSECTION BEARING $N74^{\circ}59'35''E$ FROM THE CENTER OF SAID CURVE; THENCE $S8^{\circ}25'34''W$ ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE FOR 616.81 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE, $N81^{\circ}34'26''W$ FOR 168.00 FEET; THENCE $S08^{\circ}25'34''W$ FOR 80.00 FEET; THENCE $S81^{\circ}34'26''E$ FOR 168.00 FEET TO A POINT OF INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY OF PINE TREE DRIVE; THENCE $S08^{\circ}25'34''W$ ALONG SAID WESTERLY RIGHT-OF-WAY DRIVE OF PINE TREE DRIVE FOR 527.00 FEET; THENCE $S81^{\circ}34'04''E$ A DISTANCE OF 50.00 FEET; THENCE $N08^{\circ}25'56''E$ A DISTANCE OF 250.00 FEET; $N81^{\circ}34'55''E$ A DISTANCE OF 175.00 FEET; $S08^{\circ}25'56''E$ A DISTANCE OF 207.42 FEET; $N79^{\circ}26'45''E$ A DISTANCE OF 130.90 FEET; THENCE $S34^{\circ}45'54''E$ A DISTANCE OF 71.60 FEET; THENCE $N21^{\circ}35'00''W$ FOR 76.80 FEET; THENCE $N00^{\circ}05'31''W$ A DISTANCE OF 66.00 FEET; THENCE $N63^{\circ}19'44''W$ A DISTANCE OF 98.45 FEET; THENCE $N17^{\circ}10'21''W$ A DISTANCE OF 10.75 FEET; THENCE $N84^{\circ}01'59''W$ A DISTANCE OF 39.05 FEET; THENCE $N39^{\circ}18'32''W$ A DISTANCE OF 126.55 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID TRACT A-B-C-D-E-F-G-H-I-J-A; THENCE $N83^{\circ}46'03''W$ ALONG SAID NORTHERLY LINE OF TRACT A-B-C-D-E-F-G-H-I-J-A FOR 500.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 992,715 SQUARE FEET OR 22.8 ACRES.

