

**ADMINISTRATION COMMISSION
AGENDA**

April 29, 2008

1. Consideration of Miami Dade College's Request for Approval to Exercise the Power of Eminent Domain.

Section 1013.25, F.S., provides that a university or community college board of trustees may exercise the power of eminent domain whenever it becomes necessary for the welfare and convenience of any of its institutions or divisions to acquire private property for the use of such institutions, and this cannot be acquired by agreement satisfactory to a university or community college board of trustees and the parties interested in, or the owners of, the private property. Prior to exercising this power of eminent domain, the board of trustees must obtain approval from the Administration Commission and may then proceed to condemn the property in the manner provided by Chapter 73 or Chapter 74, Florida Statutes.

On November 28, 2007, Miami Dade College filed a Petition with the Administration Commission seeking approval to exercise the power of eminent domain to acquire certain property to alleviate overcrowding and accommodate an expected increase in enrollment at its Hialeah Campus. (The Petition was supplemented with additional information in response to requests of the Secretary of the Commission.) After analyzing and considering options, the College determined that the Westland Executive Office Park located west of and adjacent to the Hialeah Campus would best address the anticipated increase in enrollment and the current overcrowding conditions. The subject property is owned by Westland I Ltd., a subsidiary of The Green Companies, and is located at 1790 and 1800 West 49th Street in the City of Hialeah. The subject property consists of 3.1 acres of land with two commercial office buildings. One office building is three stories and contains approximately 46,000 rentable square feet. The other office building is four stories and contains approximately 48,000 rentable square feet. Both buildings are more than 90% leased to a selection of commercial tenants, including Miami Dade College. Miami Dade College intends to acquire ownership of the subject property "subject to" existing tenancies. Miami Dade College and representatives of Westland I Ltd., a subsidiary of The Green Companies, have been in negotiations for almost two years and have not been able to reach agreement on a purchase price. The President of The Green Companies provided a letter to the Commission indicating the company is not opposed to Miami Dade College's efforts to acquire the subject property.

Staff Recommendation:

Approve Miami Dade College's request to exercise the power of eminent domain to acquire the 3.1 acres of land with two commercial office buildings located at 1790 and 1800 West 49th Street in the City of Hialeah.

Back-Up:

Miami Dade College's Petition for approval to exercise the power of eminent domain received November 28, 2007, and supplemented on January 14, March 25, April 2, and April 11, 2008.