



Search [input] [button]

- Home
- Login
- Real Estate / Finance
- Legal / Courts
- Blogs
- Public Notices
- Products / Services
- Subscribe
- Events
- Advertise
- Classified
- Association Bulletin
- About Us

January 22, 2007 ADV

[Reprints & Permissions](#) [Printable Version](#)

## Feds moves to seize land sought by SouthCom, DEA

June 19, 2000

By: Brett Graff

**T**he federal government is seizing land in Miami-Dade County from a private company, claiming it needs control of the site for national security reasons.

The land now is used as a buffer zone surrounding the U. S. Southern Command, the military installation that oversees military operations in Latin America and the Caribbean. The landowner, however, wants to build a facility on the buffer site for the Drug Enforcement Administration.

Now, the Department of Justice, on behalf of the Army, has started condemnation proceedings against the land owner, Tennessee-based GPA-Buffer L. P. GPA-Buffer is wholly owned by SMPO Properties Inc. , a developer based in Memphis.

The site of almost 20 acres is in West Point Business Park. The condemnation action, if successful, will kill the developer's plan to build a multimillion-dollar laboratory for the DEA on the property. (Miami is one of five cities in the nation slated to receive a high-tech DEA lab. )

The government's move is a response to a contract that the developer was awarded in March to build the 54,119-square-foot drug lab on the buffer site. Under the SouthCom lease, the developer was permitted to lease the land to another government entity as long as it didn't disturb SouthCom's security.

One high-level government source who spoke two weeks ago on condition of anonymity said the DEA facility would pose a serious threat to the safety of its operation. That's because a DEA facility would make the SouthCom area vulnerable to narcoterrorists. Also, a building on the buffer site would block the view of SouthCom's high-tech trespassing detectors.

SouthCom had been leasing the buffer land from the owner. The lease, now scheduled to expire June 30, originally was to expire at the end of March. It was extended after SouthCom, which wants to make its facility in Miami permanent, failed to convince Congress to buy the site outright. When Congress shot down that proposal earlier this year, SouthCom then prepared to re-lease the property.

But, to SouthCom's surprise, the landlord had entered into the contract with the DEA.

Gary Mote, spokesman for the General Services Administration, which handles U. S. government contracting, says his agency didn't consider getting approval for the DEA site from SouthCom. He says the agency was under the impression that SouthCom's lease was expiring and the property would be free and clear.

"The whole thing was a misunderstanding," Mote said.

David O. Vollenweider III, a trial attorney at the Justice Department, says the landlord was required by its lease with SouthCom to notify the district office of the Army Corps of Engineers in Mobile, Ala. , regarding any proposed leases on the site.

"I'm not sure they ever did that," Vollenweider said.

Neither GPA nor the company's local representatives returned phone calls for this article.

law

Sea

Job T

Selec

Regio

State

Keyw

[input]

[button]

LawJ

Of

Wa

and F

Terr

Co

Es

re

me

o

M

pas

Succ

mus

man:

act

pac

ta

E-m

sal

t

terr

(3

Meanwhile, Albert E. Dotson Jr. , a partner at Bilzin Sumberg Dunn Price & Axelrod who represents GPA-Buffer locally and who did not return phone calls for this story, two weeks ago told the Daily Business Review that the company had been working closely with the Army Corps of Engineers.

Although the landlord may be losing the lucrative DEA contract, along with \$2. 1 million in annual rent, a taking of the land by the U. S. government would allow for compensation to the company. The government has proposed to pay GPA \$644,000 from June to February 2001. Afterward, it would pay \$966,000 annually until SouthCom's lease for the headquarters expires, most likely, in 2008. SouthCom is paying some \$3 million annually for the office space.

Vollenweider, the attorney at the Justice Department, said he was unable to comment on what will happen next, since the case is pending. However, he did say that generally landowners are allowed to dispute the government's assessed value of a property in court. Also, GPA-Buffer can question the government's authority to take the land.

GPA-Buffer L. P. , headed by Oscar "Ike" Seelvinder, bought parcels of the buffer land in what appears to be four separate transactions from 1998 to 1999, according to public records. The largest sale was a \$4 million purchase of about 6. 3 acres. The smallest was a \$1 million sale of 2. 8 acres.

Meanwhile, the condemnation makes it very unlikely that the DEA facility in Miami will be located in the West Point Business Park.

Mote, the GSA spokesman, said the agency will first see whether GPA-Buffer has a comparable site elsewhere in Miami-Dade County. Otherwise, it will rebid the contract. Several local developers, whose names GSA would not disclose, were vying for the contract the first time around.

The DEA operations are currently spread over five buildings in the Koger Center in West Dade. The lease, which was scheduled to expire in November 2001, has already been extended by two months.

The suit was filed June 9 in U. S. District Court in Miami.

The  
Da  
Bu  
Re  
On  
Dir  
  
P  
D  
  
S  
D  
  
B  
S  
D  
  
Sou  
Co  
  
Cl  
he  
to  
vie