

1 RESOLUTION NO. 2020-

2
3 A RESOLUTION OF THE BOARD OF COUNTY
4 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
5 APPROVING AND AUTHORIZING THE CONVEYANCE OF
6 CERTAIN COUNTY-OWNED REAL PROPERTY TO THE
7 CITY OF COOPER CITY PURSUANT TO SECTION
8 197.592(3), FLORIDA STATUTES; AND PROVIDING FOR
9 SEVERABILITY AND AN EFFECTIVE DATE.

10 WHEREAS, Broward County ("County") acquired title to certain real property
11 located in the City of Cooper City ("City") and identified as folio number 5041-30-01-0011
12 ("Parcel"), which is more particularly described in the legal description within the quitclaim
13 deed attached to and made a part of this Resolution as Attachment A ("Quitclaim Deed"),
14 which Parcel escheated to the County by virtue of delinquent ad valorem tax payments in
15 accordance with law;

16 WHEREAS, Section 197.592(3), Florida Statutes, provides that "[l]ands acquired
17 by any county of the state for delinquent taxes in accordance with law which have not
18 been previously sold, acquired for infill housing, or dedicated by the board of county
19 commissioners, which the board of county commissioners has determined are not to be
20 conveyed to the record fee simple owner . . . and which are located within the boundaries
21 of an incorporated municipality of the county shall be conveyed to the governing board of
22 the municipality in which the land is located. Such lands conveyed to the municipality
23 shall be freely alienable to the municipality without regard to third parties. Liens of record
24 held by the county on such parcels conveyed to a municipality shall not survive the
conveyance of the property to the municipality []";

1 WHEREAS, the Parcel has not been previously sold, acquired for infill housing, or
2 dedicated by the Board of County Commissioners of Broward County, Florida
3 (the "Board"); and
4

5 WHEREAS, the Board has determined that the Parcel should not be conveyed to
6 the prior record fee simple owner because such owner has not filed a verified written
7 application or petition with the Board seeking the restitution of the Parcel in the manner
8 prescribed by Section 197.592, Florida Statutes, NOW, THEREFORE,
9

10 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
11 BROWARD COUNTY, FLORIDA:
12

13 Section 1. The recitals set forth in the preamble to this Resolution are true,
14 accurate, and incorporated by reference herein as though set forth in full hereunder.

15 Section 2. Pursuant to Section 197.592(3), Florida Statutes, the Board
16 authorizes the conveyance of the Parcel to the City.

17 Section 3. The Board authorizes the Mayor or Vice-Mayor of the Board to
18 execute the Quitclaim Deed, in the form of the attached Attachment A, and the County
19 Administrator to attest to the execution.

20 Section 4. The Quitclaim Deed shall be properly recorded in the Public Records
21 of Broward County, Florida.

22 Section 5. The Parcel conveyed shall be freely alienable by the
23 City without regard to third parties, and the County's liens of record on the Parcel shall
24 not survive the conveyance of the Parcel to the City.

1 Section 6. Severability.

2 If any portion of this Resolution is determined by any court to be invalid, the invalid
3 portion will be stricken, and such striking will not affect the validity of the remainder of this
4 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
5 legally applied to any individual, group, entity, property, or circumstance, such
6 determination will not affect the applicability of this Resolution to any other individual,
7 group, entity, property, or circumstance.

8 Section 7. Effective Date.

9 This Resolution is effective upon adoption.

10
11 ADOPTED this _____ day of _____, 2020.

12
13 Approved as to form and legal sufficiency:
14 Andrew J. Meyers, County Attorney

15 By /s/ Sara F. Cohen 01/07/2020
16 Sara F. Cohen (Date)
17 Assistant County Attorney

18 By /s/ Annika E. Ashton 01/07/2020
19 Annika E. Ashton (Date)
20 Deputy County Attorney

Return recorded copy to:
Broward County Facilities Management Division
Real Property Section
115 South Andrews Avenue, Room 501
Fort Lauderdale, FL 33301

This document prepared by
and approved as to form by:
Sara F. Cohen
Broward County Attorney's Office
115 South Andrews Avenue, Room 423
Fort Lauderdale, FL 33301

Folio: 5041-30-01-0011

QUITCLAIM DEED

(Pursuant to Section 125.411 and Section 197.592(3), Florida Statutes)

THIS QUITCLAIM DEED, made this ___ day of _____, 2020, by **BROWARD COUNTY, a political subdivision of the State of Florida** ("Grantor"), whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, and **City of Cooper City, a Florida municipal corporation** ("Grantee"), whose address is 9090 SW 50th Place, Cooper City, Florida 33065

(The terms "Grantor" and "Grantee" as used herein shall refer to the respective parties, and the heirs, personal representatives, successors, and assigns of such parties.)

W I T N E S S E T H:

That Grantor, for and in consideration of TEN DOLLARS (\$10.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim unto Grantee, its successors and assigns, forever, all of Grantor's rights, title, and interest, if any, in and to the following described lands, lying and being in Broward County, Florida ("Property"), to wit:

NEWMANS SURVEY 2-26 D 30-50-41 POR OF TR 25 DESC AS COMM AT SE COR TR 25,W 645,N 1215.91 TO POB, WLY 15, SLY 284.02 M/L, ELY 15, NLY 284.02 TO POB, LESS NLY 15 THEREOF PER OR 34548/1804; being the same property conveyed to Broward County pursuant to Tax Deed 12930, dated February 1, 1996, recorded in Instrument Number 96057247 of the Public Records of Broward County, Florida.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit, and behalf of the said Grantee forever.

THIS CONVEYANCE IS SUBJECT TO all zoning rules, regulations, and ordinances and other prohibitions imposed by any governmental authority with jurisdiction over the Property conveyed herein; existing public purpose utility and government easements and rights of way and other matters of record; and real estate taxes for this year 2020 and all subsequent years. Provided, however, that such Property shall be freely alienable to Grantee without regard to third

parties, and Grantor's liens of record on such Property shall not survive this conveyance of the Property to Grantee.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice-Mayor of said Board, the day and year aforesaid.

GRANTOR

(Official Seal)
ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
ex officio Clerk of the Broward County
Board of County Commissioners

By _____
Mayor

____ day of _____, 2020

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By: _____
Sara F. Cohen (Date)
Assistant County Attorney

By: _____
Annika E. Ashton (Date)
Deputy County Attorney

REF: Approved BCC _____ Item No: _____
Return to BC Real Property Section