

RESOLUTION NO. 2019-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE TOWN OF DAVIE PURSUANT TO SECTION 197.592(3), FLORIDA STATUTES; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Broward County (the "County") acquired title to certain real property, located in the Town of Davie (the "Town") and identified as folio number 5041-27-01-0372 ("Property"), as more particularly described in the quitclaim deed attached hereto and made a part hereof as Exhibit A ("Quitclaim Deed"), which Property escheated to the County by virtue of delinquent ad valorem tax payments in accordance with law;

WHEREAS, Section 197.592(3), Florida Statutes, provides that "[l]ands acquired by any county of the state for delinquent taxes in accordance with law which have not been previously sold, acquired for infill housing, or dedicated by the board of county commissioners, which the board of county commissioners has determined are not to be conveyed to the record fee simple owner . . . and which are located within the boundaries of an incorporated municipality of the county shall be conveyed to the governing board of the municipality in which the land is located. Such lands conveyed to the municipality shall be freely alienable to the municipality without regard to third parties. Liens of record 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 Property has not been previously sold, acquired for infill housing,
2 or dedicated by the Board of County Commissioners of Broward County, Florida
3 (“Board”); and
4

5 WHEREAS, the Board has determined that the Property should not be conveyed
6 to 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 Property 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 Property to the Town.

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 Exhibit 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 Property conveyed shall be freely alienable by the
23 Town without regard to third parties, and the County’s liens of record on the Property shall
24 not survive the conveyance of the Property to the Town.

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 _____, 2019.

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

15 By: /s/ Sara F. Cohen 11/05/19
16 Sara F. Cohen (Date)
17 Assistant County Attorney

18 By: /s/ Annika E. Ashton 11/05/19
19 Annika E. Ashton (Date)
20 Deputy County Attorney

Exhibit A

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: 5041-27-01-0372

QUITCLAIM DEED

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

THIS QUITCLAIM DEED, made this ___ day of _____, 2019, by **BROWARD COUNTY, a political subdivision of the State of Florida** (the "Grantor"), whose address is Governmental Center, Room 423, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, and **Town of Davie, a Florida municipal corporation** (the "Grantee"), whose address is 6591 Orange Drive, Davie Florida 33314

(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.)

WITNESSETH:

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 (the "Property"), to wit:

EVERGLADE LAND SALES CO SUB 2-34 D 27-50-41 TR 28 S 25
MORE OR LESS E272; being the same property conveyed to
Broward County pursuant to Tax Deed 24165, dated March 5,
2019, recorded in Instrument Number 115654960 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 2019 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 _____, 20____

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:  _____ 11/5/19
Sara F. Cohen (Date)
Assistant County Attorney

By:  _____ 11/5/19
Annika E. Ashton (Date)
Deputy County Attorney

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

SC/mdw
11/5/19
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