

1 RESOLUTION NO. 2021-

2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 AUTHORIZING THE CONVEYANCE OF CERTAIN
5 COUNTY-OWNED REAL PROPERTY TO THE CITY OF
6 POMPANO BEACH PURSUANT TO SECTION 125.38,
7 FLORIDA STATUTES; AND PROVIDING FOR
8 SEVERABILITY AND AN EFFECTIVE DATE.

9 WHEREAS, Broward County ("County") holds title to certain real property located
10 in the City of Pompano Beach ("City"), identified as folio number 4942-0100-0980
11 ("Parcel"), which is more particularly described in the legal description within the quitclaim
12 deed, attached to and made a part of this Resolution as Attachment A ("Quitclaim Deed");

13 WHEREAS, Section 125.38, Florida Statutes, states that if "the state or any
14 political subdivision or agency thereof, or any municipality of this state...should desire
15 any real or personal property that may be owned by any county of this state or by its board
16 of county commissioners, for public or community interest and welfare, then the...state or
17 such political subdivision, agency, municipality...may apply to the board of county
18 commissioners for a conveyance or lease of such property. Such board, if satisfied that
19 such property is required for such use and is not needed for county purposes, may
20 thereupon convey or lease the same at private sale to the applicant for such price,
21 whether nominal or otherwise, as such board may fix, regardless of the actual value of
22 such property. The fact of such application being made, the purpose for which such
23 property is to be used, and the price or rent therefor shall be set out in a resolution duly
24 adopted by such board";

1 WHEREAS, the City applied to the Board of County Commissioners of Broward
2 County, Florida ("Board"), for the conveyance of the Parcel for right-of-way purposes
3 ("Stated Purpose"); and

4 WHEREAS, the Board supports the use of the Parcel for the Stated Purpose, and
5 desires to approve and authorize the conveyance of the Parcel to City for the
6 Stated Purpose, NOW, THEREFORE,

7 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
8 BROWARD COUNTY, FLORIDA:

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

12 Section 2. The Board finds that (1) City applied to the Board for the conveyance
13 of the Parcel for the Stated Purpose in accordance with Section 125.38, Florida Statutes;
14 (2) the Stated Purpose promotes public or community interest and welfare; and (3) the
15 Parcel is required by City for the Stated Purpose and is not needed for County purposes.

16 Section 3. The Board authorizes the conveyance of the Parcel to City for the
17 Stated Purpose in exchange for the total price of Ten Dollars (\$10.00).

18 Section 4. The Board authorizes the Mayor or Vice-Mayor of the Board to
19 execute the Quitclaim Deed in the same form as Attachment A and authorizes the County
20 Administrator to attest to such execution.

21 Section 5. The Quitclaim Deed shall be properly recorded in the
22 Public Records of Broward County, Florida.

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24

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 _____, 2021.

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

15 By /s/ Christina A. Blythe 03/01/2021
16 Christina A. Blythe (Date)
17 Assistant County Attorney

18 By /s/ Annika E. Ashton 03/01/2021
19 Annika E. Ashton (Date)
20 Deputy County Attorney

21
22
23 CAB/mdw
24 Pompano Beach Parcel Transfer Resolution.doc
03/01/2021
#556378

Return recorded copy to:
Real Property Section
115 South Andrews Avenue, Room 501
Fort Lauderdale, FL 33301

Attachment A

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

Folio: 4942-0100-0980

QUITCLAIM DEED

(Pursuant to Section 125.411 and Section 125.38, Florida Statutes)

THIS QUITCLAIM DEED, made this _____ day of _____, 2021, by **BROWARD COUNTY, a political subdivision of the State of Florida** ("Grantor"), whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, and the **City of Pompano Beach, a Florida municipal corporation** ("Grantee"), whose address is 100 W Atlantic Boulevard, Pompano Beach, Florida 33060.

(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, to wit:

The South 35 feet of the West 235 feet of Section 1, and the South 35 feet of that part of the Southeast quarter (SE ¼) of the Southwest quarter (SW ¼) of the Southwest quarter (SW¼) lying East of the Cypress Creek, all of Section 1, Township 49 South, Range 42 East.

Said lands containing 21,654 square feet, more or less.

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 2021 and all subsequent years.

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

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 _____, 2021

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: Christina A. Blythe Digitally signed by Christina A. Blythe
Date: 2021.03.09 14:26:09 -05'00'
Christina A. Blythe (Date)
Assistant County Attorney

By: Annika E. Ashton Digitally signed by Annika E. Ashton
Date: 2021.03.09 14:26:16 -05'00'
Annika E. Ashton (Date)
Deputy County Attorney

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