

1 RESOLUTION NO. 2020-

2 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
3 OF BROWARD COUNTY, FLORIDA, AUTHORIZING THE
4 CONVEYANCE OF A CERTAIN PARCEL OF REAL PROPERTY
5 TO THE STATE OF FLORIDA, DEPARTMENT OF
6 TRANSPORTATION ("FDOT") PURSUANT TO SECTION 125.38,
7 FLORIDA STATUTES; DETERMINING THAT FDOT APPLIED FOR
8 THE CONVEYANCE OF THE COUNTY-OWNED PARCEL FOR
9 THE PURPOSE STATED HEREIN IN ACCORDANCE WITH
10 SECTION 125.38, FLORIDA STATUTES; DETERMINING THAT
11 THE PURPOSE STATED HEREIN PROMOTES PUBLIC OR
12 COMMUNITY INTEREST AND WELFARE; DETERMINING THAT
13 THE PARCEL IS REQUIRED BY FDOT FOR THE PURPOSE
14 STATED HEREIN AND IS NOT NEEDED FOR COUNTY
15 PURPOSES; AND PROVIDING FOR SEVERABILITY AND AN
16 EFFECTIVE DATE.

17 WHEREAS, Broward County ("County") holds title to a certain parcel of real
18 property located in the City of Pompano Beach ("Parcel"), which is more particularly
19 described in the legal description within the quitclaim deed, attached to and made a part
20 of this Resolution as Exhibit A ("Quitclaim Deed").

21 WHEREAS, Section 125.38, Florida Statutes, states that if "the state or any
22 political subdivision or agency thereof, or any municipality of this state...should desire
23 any real or personal property that may be owned by any county of this state or by its board
24 of county commissioners, for public or community interest and welfare, then the...state or
such political subdivision, agency, municipality...may apply to the board of county
commissioners for a conveyance or lease of such property. Such board, if satisfied that
such property is required for such use and is not needed for county purposes, may
thereupon convey or lease the same at private sale to the applicant for such price,
whether nominal or otherwise, as such board may fix, regardless of the actual value of

1 such property. The fact of such application being made, the purpose for which such
2 property is to be used, and the price or rent therefor shall be set out in a resolution duly
3 adopted by such board”;

4
5 WHEREAS, FDOT desires to acquire the Parcel for right-of-way
6 (“Stated Purpose”);

7
8 WHEREAS, FDOT applied to the Board of County Commissioners of Broward
9 County, Florida (“Board”), for the conveyance of the Parcel for Stated Purpose;

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11 WHEREAS, the Board supports the use of the Parcel for the Stated Purpose; and

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13 WHEREAS, the Board desires to approve and authorize the conveyance of the
14 Parcel to FDOT for the Stated Purpose, NOW, THEREFORE,

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16 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
17 BROWARD COUNTY, FLORIDA:

18
19 Section 1. The recitals set forth in the preamble to this Resolution are true,
20 accurate, and deemed incorporated by reference herein as though set forth in full
21 hereunder.

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

6
7 Section 3. The Board authorizes the conveyance of the Parcel to FDOT for the
8 Stated Purpose in exchange for the total price of Ten Dollars (\$10.00).

9
10 Section 4. The Board authorizes the Mayor or Vice-Mayor of the Board to
11 execute the Quitclaim Deed in the same form as Exhibit A and authorizes the County
12 Administrator to attest to such execution.

13
14 Section 5. The Quitclaim Deed shall be properly recorded in the Public Records
15 of Broward County, Florida.

16
17 Section 6. Severability. If any portion of this Resolution is determined by any
18 court to be invalid, the invalid portion will be stricken, and such striking will not affect the
19 validity of the remainder of this Resolution. If any court determines that this Resolution,
20 in whole or in part, cannot be legally applied to any individual, group, entity, property, or
21 circumstance, such determination will not affect the applicability of this Resolution to any
22 other individual, group, entity, property, or circumstance.

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Section 7. Effective Date.

This Resolution is effective upon adoption.

ADOPTED this _____ day of _____, 2020.

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

By /s/ Sara F. Cohen 01/29/2020
Sara F. Cohen (Date)
Assistant County Attorney

By /s/ Annika E. Ashton 01/29/2020
Annika E. Ashton (Date)
Deputy County Attorney

SC/mdw
01/29/2020
Pompano Beach Parcel Transfer to FDOT
#490539

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

QUITCLAIM DEED

(Pursuant to Section 125.411 and Section 125.38, 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 the **State of Florida, Department of Transportation, a component agency of the State of Florida** ("Grantee"), whose address is 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309.

(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, to wit:

See Exhibit A-1 attached hereto and made a part hereof

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.

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 _____, 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

SC/
QCD Pompano Beach
2/11/20
#490538

Exhibit A-1

A parcel of land in the SE1/4 of Section 32, Township 48 South, Range 42 East, as recorded in O.R. Book 12486, Page 152 of the public records of Broward County, said parcel being more particularly described as follows:

Commencing at the Northwest corner of the S1/2 of the NE1/4 of said SE1/4; thence run South 0°16'18" East (on an assumed bearing) 299 feet along the West line of said S1/2 of the NE1/4 of the SE1/4; thence run South 75°58'42" East 183.58 feet; thence run South 28°25'36" West 549.07 feet; thence run South 31°56'24" West 405.20 feet; thence run South 48°37'03" West 590.60 feet; thence run North 61°18'28" West 36.49 feet; thence run South 3°37'17" West 130.53 feet, to the Point of Beginning; thence continue South 3°37'17" West 42.88 feet to a point of hereinafter referred to as Point "A", said Point "A" falling on the Northerly right of way line of West Atlantic Boulevard, as now located and constructed; thence run South 88°01'15" East 361.22 feet along said Northerly right of way line; thence run North 84°12'24" West 180.40 feet; thence run North 88°01'15" West 150 feet; thence run North 42°11'59" West 43.03 feet, to the Point of Beginning; and commencing at aforesaid Point A; thence run North 88°01'15" West 60.02 feet along said Northerly right of way line of West Atlantic Boulevard, to the Point of Beginning; thence continue North 88°01'15" West 29.15 feet; thence run North 47°48'01" East 41.81 feet; thence run South 3°37'17" West 29.15 feet, to the Point of Beginning.

Said lands situate in the City of Pompano Beach, Broward County, Florida.

