

1 RESOLUTION NO.

2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 AUTHORIZING THE CONVEYANCE OF CERTAIN
5 PARCELS OF REAL PROPERTY TO THE TOWN OF DAVIE
6 PURSUANT TO SECTION 125.38, FLORIDA STATUTES;
7 DETERMINING THAT THE PARCELS ARE NOT NEEDED
8 FOR COUNTY PURPOSES; DETERMINING THAT THE
9 USE STATED HEREIN PROMOTES THE PUBLIC OR
10 COMMUNITY INTEREST AND WELFARE; AUTHORIZING
11 THE EXECUTION AND RECORDATION OF THE
12 QUITCLAIM DEED FOR THE PARCELS; AND PROVIDING
13 FOR SEVERABILITY AND AN EFFECTIVE DATE.

14 WHEREAS, Broward County ("County") holds title to certain parcels of real
15 property ("Parcels") located in the Town of Davie ("Town"), each parcel is more
16 particularly described in the legal description within the quitclaim deed attached hereto
17 and made a part of this Resolution as Attachment A ("Quitclaim Deed");

18 WHEREAS, Town applied to the Board of County Commissioners of Broward
19 County, Florida ("Board"), for the conveyance of the Parcels for right-of-way purposes
20 ("Stated Purpose");

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"; and

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

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

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

14 Section 2. The Board finds that (1) Town applied to the Board for the
15 conveyance of the Parcels for the Stated Purpose in accordance with Section 125.38,
16 Florida Statutes; (2) the Stated Purpose promotes public or community interest and
17 welfare; and (3) the Parcels are required by Town for the Stated Purpose and are not
18 needed for County purposes.

19 Section 3. The Board authorizes the conveyance of the Parcels to Town for the
20 Stated Purpose in exchange for the total price of Ten Dollars (\$10.00).

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

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

3 Section 6. Severability.

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

10 Section 7. Effective Date.

11 This Resolution is effective upon adoption.

12
13 ADOPTED this _____ day of _____, 2022.

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

17 By: /s/ Christina A. Blythe 5/18/2022
18 Christina A. Blythe (Date)
19 Assistant County Attorney

20 By: /s/ Annika E. Ashton 5/18/2022
21 Annika E. Ashton (Date)
22 Deputy County Attorney

23 CAB
24 Town of Davie Parcel Transfer Resolution.doc
 05/17/2022

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

This document prepared by
and approved as to form by:
Christina A. Blythe, Esq.
Office of the County Attorney
Broward County, Florida
115 South Andrews Avenue, Room 423
Fort Lauderdale, FL 33301

Folio: 504011010600; 504015010710; 504125010710
504125010720; 504125010830; 514103010990
514103011050; 514103011060; 514103011090
514103330050; 504021010550; 504016000220
504012030013; 504022000020; 504022000810
504021040390

QUITCLAIM DEED

(Pursuant to Sections 125.411 and 125.38, Florida Statutes)

THIS QUITCLAIM DEED is made this ____ day of _____, 2022, by BROWARD COUNTY, a political subdivision of the State of Florida ("Grantor"), whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, and TOWN OF DAVIE, a Florida municipal corporation ("Grantee"), whose address is 8800 Southwest 36th Street, Town of Davie, Florida 33328.

(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 considerations, 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, attached hereto and made a part hereof ("Property").

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 2022 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 Administrator, as
ex officio Clerk of the Broward County
Board of County Commissioners

(Official Seal)

BROWARD COUNTY, by and through
its 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: _____
Christina A. Blythe (Date)
Assistant County Attorney

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

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

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Parcel 1:

Folio Number

504011010600

Legal Description

The North 15 feet and the West 15 feet of Tract 64, of the Subdivision of "FLORIDA FRUIT LANDS CO. NO. 1", as recorded in Plat Book 2, Page 17, of the Public Records of Dade County, Florida.

Parcel 2:

Folio Number

504015010710

Legal Description

All that portion of Tracts 48, 45, 43, 42 and 41, Section 15, Township 50 South, Range 40 East, FLORIDA FRUIT LAND COMPANY'S PLAT NO. 1, as recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida, lying within 25.0 feet of the West boundary of said Tracts, also being the West boundary of said Section 15.

Parcel 3:

Folio Number

504125010710

Legal Description

The North 15 feet and the West 10 feet of Tract 5 and the West 10 feet of Track 12 all of Section 25, Township 50 South, Range 41 East, according to the plat of Newman Survey as recorded in Original Dade Book 2, of Plats, at page 26 of the public records of Dade County, Florida. Said land, situate, lying and being in Broward County, Florida.

AND

The East 5 feet of the West 15 feet of Tract 5, Section 25, Township 50 South, Range 41 East according to Newman's Survey recorded in Plat Book 2, Page 26 of the public records of Dade County, Florida.

AND

All that external area lying Northwesterly of the arc formed by a 25.0 foot radius which is tangent to a line 15.0 feet East of and parallel to the West boundary of Tract 5, Section 25, Township 50 South, Range 41 East, Newman's Survey, according to the Plat thereof Recorded in Plat Book 2, Page 26, Public Records of Dade County, Florida and tangent to a line 15.0 feet South of and parallel to the North boundary of said Tract 5.

Parcel 4:

Folio Number

504125010720

Legal Description

The East 5 feet of the West 15 feet of Tract 12, Section 25, Township 50 South, Range 41 East according to Newman's Survey recorded in Plat Book 2, Page 26 of the public records of Dade County, Florida.

Parcel 5:

Folio Number

504125010830

Legal Description

The East 10 feet of Tract 11, Section 25, Township 50 South, Range 41 East, according to the plat of Newman Survey, recorded in Plat Book "B", at page 137, of the public records of Dade County, Florida; said land, situate, lying and being in Broward County, Florida. This parcel is sold under the condition that it is be used only for the widening of the present street.

AND

The East 10 feet of Tract 6, Section 25, Township 50 South, Range 41 East, according to the plat of Newman Survey, recorded in Plat Book "B", at page 137, of the public records of Dade County, Florida; said land, situate, lying and being in Broward County, Florida.

Parcel 6:

Folio Number

514103010990

Legal Description

All that portion of the East 30.0 feet of Tract 17, Section 3, Township 51 South, Range 41 East, according to the Plat of A.J. Bendle's Subdivision, as recorded in Plat Book 1, Page 27, Public Records of Dade County, Florida, LESS that portion for Stirling Road right of way; AND

All that external area lying Northeasterly of an arc formed by a 25.0 foot radius which is tangent to a line 30.0 feet West of and parallel to the East boundary of said Tract 17 and tangent to a line 53.0 feet South of and parallel to the North boundary of said Section 3.

AND

All that portion of Tract 16, Section 3, Township 51 South, Range 41 East, according to the Plat of A. J. Bendle Subdivision, as recorded in Plat Book 1, Page 27, Public Records of Dade County, Florida, lying within 55.0 feet South of and parallel to the North boundary of said Section 3; AND

The West 30.0 feet of said Tract 16, LESS the South 400.0 feet and also LESS that portion lying within 55.0 feet South of and parallel to the North boundary of said Section 3; AND

All that external area lying Northwesterly of an arc formed by a 25.0 foot radius which is tangent to a line 55.0 feet South of and parallel to the North boundary of said Section 3 and tangent to a line 30.0 feet East of and parallel to the West boundary of Tract 16.

AND

West 30 feet of the South 400 feet of Tract 16 of Section 3, Township 51 South, Range 41 East of "A. J. Bendle Sub." According to the Plat thereof as recorded in Plat Book 1, Page 27 of the Public Records of Dade County, Florida, said lands situate, lying and being in Broward County, Florida.

Parcel 7:

Folio Number

514103011050

Legal Description

The East 25 feet of Tracts 21, 22, 23 and 24 of A. J. BENDLE'S SUBDIVISION, in Section Three (3), Township 51 South, Range 41 East, according to the Plat thereof recorded in Plat Book 1, Page 27, of the Public Records of Dade County, Florida.

Parcel 8:

Folio Number

514103011060

Legal Description

The North 35.0 feet of the North Half (N $\frac{1}{2}$) of Tract 18 of A.J. BENDLE SUBDIVISION of Section 3, Township 51 South, Range 41 East, as recorded in Plat Book 1, Page 27 of the public records of Dade County, Florida;

AND

The West 25.0 feet of the Said North Half (N $\frac{1}{2}$); of Tract 18

AND

That portion of the Said North Half (N $\frac{1}{2}$) lying Northwesterly of an arc having a radius of 15.0 feet which is arc tangent to a line 25.0 feet East of and parallel to the West boundary of Said North Half (N $\frac{1}{2}$) and arc tangent to a line 35.0 feet South of and parallel to the North boundary of Said Tract.

AND

The west 25 feet of the south half of tract 18 and the west 25 feet of tract 31 of A. J. Bendles Subdivision of Section 3, Township 51 South, Range 41 East as recorded in Plat Book 1 at page 27 of the Public Records of Dade County and that portion of tracts 31 and 32 of said subdivision lying within 25 feet of the south boundary of the north half of said section. Said lands lying and being in Broward County, Florida.

AND

The East 5 feet of the West 30 feet of Tracts 18 and 31, less the North 23 feet and South 20 feet thereof, together with the North 5 feet of the South 20 feet of Tracts 31 and 32, together with the North 365.42 feet of the South 385.42 feet of the East 30 feet of Tract 32, "A.J. Bendle Subdivision of Section 3, Township 51 South, Range 41 East", according to the plat thereof recorded in Plat Book 1, Page 27 of the Public Records of Dade County, Florida, lying and being in Broward County, Florida.

Parcel 9:

Folio Number

514103011090

Legal Description

The North 20.0 feet of the East 275.0 feet of the South Half (S $\frac{1}{2}$) of Tract 39, of A. J. Bendle Subdivision of Section 3, Township 51 South, Range 41 East, as recorded in Plat Book 1, Page 27 of the Public Records of Dade County, Florida.

AND

The North 20.0 feet of the West 250.0 feet of the East 525.0 feet of the South Half (S $\frac{1}{2}$) of Tract 39, A. J. Bendle Subdivision, Section 3, Township 51 South, Range 41 East, as recorded in Plat Book 1, Page 27, Public Records of Dade County, Florida.

AND

The North 25 feet of the West 375 feet of the East 900 feet of the S $\frac{1}{2}$ of Tract 39, of A.J. BENDLE SUBDIVISION in Section 3, Township 51 South, Range 41 East according to Plat Book 1, page 27 of the Dade County public records; said lands lying and being in Broward County, Florida.

Parcel 10:

Folio Number

514103330050

Legal Description

EAST THIRTY (E. 30') FEET of TRACT 33 lying North of Davie Road Extension, less the North 330 Feet thereof, A. J. BENDLE'S SUBDIVISION, Section 3, Township 51 South, Range 41 East, as recorded in Plat Book 1, Page 27 of the Public Records of Dade County, Florida; said lands situate, lying and being in Broward County, Florida.

Parcel 11:

Folio Number

504021010550

Legal Description

That portion of the West 80.0 feet of the East Half ($E\frac{1}{2}$) of Section 28, Township 50 South, Range 40 East, lying North of the North right of way of South New River Canal (C-11);

AND

The West 65.0 feet of Tracts 57 through 64 inclusive, Florida Fruit Land Company's Plat No. 1, according to the Plat thereof recorded in Plat Book 2, Page 17, Public Records of Dade County, Florida, said lands lying and being in the Southeast Quarter ($SE\frac{1}{4}$) of Section 21, Township 50 South, Range 40 East.

Parcel 12:

Folio Number

504016000220

Legal Description

The North 25.0 feet of the North Half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 16, Township 50 South, Range 40 East.

AND

The West 40.0 feet and the North 25.0 feet of the West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) LESS the South 2147.99 feet of Section 16, Township 50 South, Range 40 East;

AND

All that external area lying Northwesterly of an arc formed by a 25.0 foot radius, tangent to a line 40.0 feet East of and parallel to the West line of the Southeast Quarter ($SE\frac{1}{4}$) of said Section 16 and tangent to a line 25.0 feet South of and parallel to the North line of the said Southeast Quarter ($SE\frac{1}{4}$).

AND

The North 25.0 feet of the North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 16, Township 50 South, Range 40 East.

Parcel 13:

Folio Number

504012030013

Legal Description

A parcel of land in the East one-half ($E\frac{1}{2}$) of Section 12, Township 50 South, Range 40 East, more particularly described as follows:

Beginning at the Southeast corner of Tract T, REXMERE VILLAGE TWO, Plat Book 78, Page 24, Public Records of Broward County, Florida; Thence North $04^{\circ}34'26''$ West 250.80 feet to a point on a line 20 feet West of and parallel with the West right of way line of S. W. 117th Way; Thence North along said parallel line 497.62 feet to a point of curvature; Thence Northwesterly along the arc of a curve to the left having a radius of 25 feet and a central angle of $75^{\circ}16'14''$ for an arc distance of 32.84 feet to a point on the southerly right of way line of State Road No. 84, said right of way line being tangent to the curve at the said point; Thence South $75^{\circ}16'14''$ East along the said right of way line for a distance of 20.68 feet to a point of curvature; Thence Southeasterly along the arc of a curve to the right having a radius of 25 and a central angle of $75^{\circ}16'14''$ for an arc distance of 32.84 feet to a point of tangency, said point lying on the West right of way line of S. W. 117th Ave.; Thence South along the said West right of way line 742.36 feet to the Point of Beginning.

Area = .02935 Acres.

Parcel 14:**Folio Number**

504022000020

Legal Description

The East 70.0 feet of the South 330.0 feet of the Northwest Quarter ($NW\frac{1}{4}$) of Section 22, Township 50 South, Range 40 East.

AND

The East 70.0 feet of the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section 22, Township 50 South, Range 40 East;

AND

The East 70.0 feet of the North Half ($N\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section 22, Township 50 South, Range 40 East.

Parcel 15:

Folio Number

504022000810

Legal Description

The East 70.0 feet of the North 247.50 feet of the South 577.50 feet of the Northwest Quarter (NW $\frac{1}{4}$) of Section 22, Township 50 South, Range 40 East.

AND

All that portion of the East 70.0 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 22, Township 50 South, Range 40 East, LESS the South 330.0 feet thereof; AND

The North 50.0 feet of the South 1097.5 feet of the East 1031.0 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 22, LESS the East 70.0 feet thereof; AND

The North 50.0 feet of the South 602.5 feet of the East 1031.0 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 22, LESS the East 70.0 feet thereof; AND

The West 50.0 feet of the East 1081.0 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 22, LESS the South 330.0 feet thereof.

Parcel 16:

Folio Number

504021040390

Legal Description

All that portion of Tracts 9 and 10, Section 21, Township 50 South, Range 40 East, according to Florida Fruit Land Company's Plat No. 1, as recorded in Plat Book 2, Page 17, Public Records of Dade County, Florida, lying within 80.0 feet of the West boundary of the East Half (E $\frac{1}{2}$) of said Section 21.