

1 RESOLUTION NO. 2020-

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 STATE OF
6 FLORIDA, DEPARTMENT OF TRANSPORTATION ("FDOT")
7 PURSUANT TO SECTION 125.38, FLORIDA STATUTES;
8 DETERMINING THAT FDOT APPLIED FOR THE
9 CONVEYANCE OF COUNTY-OWNED PARCELS FOR THE
10 PURPOSES STATED HEREIN IN ACCORDANCE WITH
11 SECTION 125.38, FLORIDA STATUTES; DETERMINING
12 THAT THE PURPOSES STATED HEREIN PROMOTE
13 PUBLIC OR COMMUNITY INTEREST AND WELFARE;
14 DETERMINING THAT THE PARCELS ARE REQUIRED BY
15 FDOT FOR THE PURPOSES STATED HEREIN AND ARE
16 NOT NEEDED FOR COUNTY PURPOSES; AND
17 PROVIDING FOR SEVERABILITY AND AN EFFECTIVE
18 DATE.

19 WHEREAS, Broward County ("County") holds title to certain parcels of
20 real property located in the City of Tamarac, identified as folio numbers 4942-1803-0340
21 and 4941-1301-0170 ("Parcels"), which are more particularly described in the legal
22 descriptions within the quitclaim deeds, attached to and made a part of this Resolution as
23 Attachment A and Attachment B, respectively ("Quitclaim Deeds").
24

25 WHEREAS, Section 125.38, Florida Statutes, states that if "the state or any
26 political subdivision or agency thereof, or any municipality of this state...should desire
27 any real or personal property that may be owned by any county of this state or by its board
28 of county commissioners, for public or community interest and welfare, then the...state or
29 such political subdivision, agency, municipality...may apply to the board of county
30 commissioners for a conveyance or lease of such property. Such board, if satisfied that
31 such property is required for such use and is not needed for county purposes, may

1 thereupon convey or lease the same at private sale to the applicant for such price,
2 whether nominal or otherwise, as such board may fix, regardless of the actual value of
3 such property. The fact of such application being made, the purpose for which such
4 property is to be used, and the price or rent therefor shall be set out in a resolution duly
5 adopted by such board”;

6

7 WHEREAS, FDOT maintains the roadway adjacent to the Parcels and desires to
8 acquire the Parcels for right-of-way purposes (“Stated Purpose”);

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10 WHEREAS, FDOT applied to the Board of County Commissioners of Broward
11 County, Florida (“Board”), for the conveyance of the Parcels for the Stated Purpose;

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13 WHEREAS, the Board supports the use of the Parcels for the Stated Purpose; and

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15 WHEREAS, the Board desires to approve and authorize the conveyance of the
16 Parcels to FDOT for the Stated Purpose, NOW, THEREFORE,

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18 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
19 BROWARD COUNTY, FLORIDA:

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

24

1 Section 2. The Board finds that (1) FDOT applied to the Board for the
2 conveyance of the Parcels 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 Parcels are required by FDOT for the Stated Purpose and are not
5 needed for County purposes.

6
7 Section 3. The Board authorizes the conveyance of the Parcels 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 Deeds in the same form as Attachment A and Attachment B and
12 authorizes the County Administrator to attest to such execution.

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14 Section 5. The Quitclaim Deeds shall be properly recorded in the
15 Public Records 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 02/06/2020
Sara F. Cohen (Date)
Assistant County Attorney

By /s/ Annika E. Ashton 02/06/2020
Annika E. Ashton (Date)
Deputy County Attorney

SC/mdw
02/12/2020
Tamarac Parcel Transfer to FDOT
#489832

Attachment 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: 4942-1803-0340

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.)

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:

See Attachment 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

Folio Number 4942-1803-0340

Attachment A-1

Parcel 19:

A PORTION of Lot 8, Block 1, TAMARAC BUSINESS CENTER, Section 2, as recorded in Plat Book 61, Page 50, of the Public Records of Broward County, Florida, more fully described as follows:

BEGINNING at the Northeast corner of said Lot 8;
THENCE on an assumed bearing of North 88° 45' 02" West along the North line of said Lot 8, a distance of 149.37 feet to a point of curve;
THENCE Southwesterly along a curve to the left with a radius of 25.0 feet and a central angle of 91° 26' 04. An arc distance of 39.90 feet to a point of tangency;
THENCE South 00° 11' 06" East along the West line of said Lot 8, a distance of 6.63 feet;
THENCE North 45° 31' 56" East, a distance of 42.95 feet;
THENCE South 88° 45' 02" East, a distance of 144.24 feet to a point on the East line of said Lot 8;
THENCE North 00° 11' 06" West along the said East line, a distance of 1.50 feet to the POINT OF BEGINNING;
SAID LANDS CONTAINING 593 square feet, MORE OR LESS.

Parcel 20:

PORTIONS OF Lots 6 and 7, Block 1, TAMARAC BUSINESS CENTER, Section 2, as recorded in Plat Book 61, Page 50, of the Public Records of Broward County, Florida, more fully described as follows:

BEGINNING at the Northwest corner of said Lot 7;
THENCE on an assumed bearing of South 88° 45' 02" East along the North line of said Lot 7, a distance of 20.46 feet to a point of curve;
THENCE easterly along a curve to the right and along the North lines of said Lots 7 and 6 with a radius of 2814.79 feet and a central angle of 03° 42' 22" an arc distance of 182.047 feet to the Northeast corner of said Lot 6;
THENCE South 01° 14' 58" West along the East line of said Lot 6, a distance of 4.16 feet to a point on a non-tangent curve;
THENCE Northwesterly along a curve to the left whose tangent bears North 83° 22' 08" West with a radius of 1939.88 feet in a central angle of 05° 22' 54, an arc distance of 182.21 feet to a point of tangency;
THENCE North 88° 45' 02" West, a distance of 20.42 feet to a point on the West line of said Lot 7;
THENCE North 00° 11' 06 West along the said West line, a distance of 1.50 feet to the POINT OF BEGINNING;
SAID LANDS CONTAINING 465.0 square feet, MORE OR LESS

Attachment B

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: 4941-1301-0170

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 Attachment B-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/mdw
QCD Folio 4941-1301-0170
01/31/2020
#489834

Folio Number: 4941-1301-0170

Attachment B-1

Parcel 15:

A PORTION of Parcel "C", THE MAINLANDS OF TAMARAC LAKES, as recorded in Plat Book 64, Page 1, of the Public Records of Broward County, Florida, more fully described as follows:

BEGINNING at the Northeast corner of said Parcel "C";
THENCE on an assumed bearing North 89° 15' 42" West along the North line of said Parcel "C", a distance of 50.01 feet to the Northwest corner of said Parcel "C";
THENCE South 00° 11' 06" East along the West line of said Parcel "C", a distance of 8.21 feet;
THENCE South 82° 20' 48" East, a distance of 50.03 feet to a point on the East line of said Parcel "C";
THENCE North 00° 11' 06" West along the said East line, a distance of 9.01 feet to the POINT OF BEGINNING;
SAID LANDS CONTAINING 431.0 square feet, MORE OR LESS.

Parcel 16:

A PORTION OF TRACK 9, Section 13, Township 49 South, Range 41 East, FORT LAUDERDALE TRUCK FARMS, as recorded in Plat Book 4, Page 31, of the Public Records of Broward County, Florida, more fully described as follows:

BEGINNING at the Northeast corner of Parcel "C". THE MAINLANDS OF TAMARAC LAKES, as recorded in Plat Book 64, Page 1, of the Public Records of Broward County, Florida;
THENCE on an assumed bearing South 89° 15' 42" East along the easterly extension of the North Line of said Parcel "C", a distance of 50.06 feet;
THENCE South 00° 11' 06" East, a distance of 9.50 feet;
THENCE North 89° 15' 42" West, a distance of 19.50 feet;
THENCE North 83° 20' 48" West, a distance of 30.57 feet to a point on the East line of said Parcel "C";
THENCE North 00° 11' 06" West a along the said East line, a distance of 9.01 feet to the POINT OF BEGINNING;
SAID LANDS CONTAINING 468.0 square feet, MORE OR LESS.

Parcel 17:

A PORTION of Track 9, Section 13, Township 49 South, Range 41 East, FORT LAUDERDALE TRUCK FARMS, as recorded in Plat Book 4, Page 31, of the Public Records of Broward County, Florida, more fully described as follows:

COMMENCING at the Northeast corner of Parcel "C", THE MAINLANDS OF TAMARAC LAKES, as recorded in Plat Book 64, Page 1, of the Public Records of Broward County, Florida;
THENCE on an assumed bearing of South 89° 15' 42" East along the Easterly extension of the North line of said Parcel "C", a distance of 50.06 feet to the POINT OF BEGINNING;
THENCE continuing South 89° 15' 42" East a distance of 175.40 feet to a point of curve;
THENCE Southeasterly along a curve to the right with a radius of 25.0 feet a central angle of 89° 04' 36", an arc distance of 38.87 feet to a point of tangency and a point on the west right-of-way line of State Road Seven;

THENCE South 00° 11' 06" East along the said West right-of-way line, a distance of 14.42 feet to a point on a curve;
THENCE Northwesterly along a curve to the left whose tangent bears North 00° 11' 06 West with a radius of 30.0 feet and a central angle of 86° 04' 36, an arc distance of 48.64 feet to a point of tangency;
THENCE North 89° 15' 42 West, a distance of 170.48 feet;
THENCE North 00° 11' 06 West, a distance of 9.50 feet to the POINT OF BEGINNING;
SAID LANDS CONTAINING 1,95.0 square feet, MORE OR LESS.