

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 CITY OF
6 DEERFIELD BEACH ("CITY") PURSUANT TO
7 SECTION 125.38, FLORIDA STATUTES; DETERMINING
8 THAT THE CITY APPLIED FOR THE CONVEYANCE OF
9 CERTAIN COUNTY-OWNED PARCELS FOR THE
10 PURPOSE STATED HEREIN IN ACCORDANCE WITH
11 SECTION 125.38, FLORIDA STATUTES; DETERMINING
12 THAT THE PURPOSE STATED HEREIN PROMOTES
13 PUBLIC OR COMMUNITY INTEREST AND WELFARE;
14 DETERMINING THAT THE PARCELS ARE REQUIRED BY
15 THE CITY FOR THE PURPOSE STATED HEREIN AND
16 ARE 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 real
20 property located in the City of Deerfield Beach ("City"), identified as folio numbers
21 4842-1100-0018, 4842-1200-0030, and 4842-1200-0630 ("Parcels"), which are more
22 particularly described in the legal descriptions within the quitclaim deeds, attached to
23 and made a part of this Resolution as Attachment A, Attachment B, and Attachment C,
24 respectively ("Quitclaim Deeds");

WHEREAS, Section 125.38, Florida Statutes, states that if "the state or any
political subdivision or agency thereof, or any municipality of this state...should desire
any real or personal property that may be owned by any county of this state or by its
board 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

1 satisfied that such property is required for such use and is not needed for county
2 purposes, may thereupon convey or lease the same at private sale to the applicant for
3 such price, whether nominal or otherwise, as such board may fix, regardless of the
4 actual value of such property. The fact of such application being made, the purpose for
5 which such property is to be used, and the price or rent therefor shall be set out in a
6 resolution duly adopted by such board”;

7

8 WHEREAS, the City Commission of City, at a regular meeting held on
9 December 3, 2019, adopted Resolution No. 2019/176, attached to and made part of this
10 Resolution as Attachment D, which authorized the
11 City Manager of City (“City Manager”) to notify County that City will accept the
12 conveyance of the Parcels, and to execute any necessary documents for such
13 conveyance;

14

15 WHEREAS, the City Manager applied to the Board of County Commissioners of
16 Broward County, Florida (“Board”) for the conveyance of the Parcels for right-of-way
17 purposes (“Stated Purpose”); and

18

19 WHEREAS, the Board supports the use of the Parcels for the Stated Purpose,
20 and desires to approve and authorize the conveyance of the Parcels to City for the
21 Stated Purpose, NOW, THEREFORE,

22

23 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
24 BROWARD COUNTY, FLORIDA:

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

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

9
10 Section 3. The Board authorizes the conveyance of the Parcels to City for the
11 Stated Purpose in exchange for the total price of Ten Dollars (\$10.00).

12
13 Section 4. The Board authorizes the Mayor or Vice-Mayor of the Board to
14 execute the Quitclaim Deeds in the same form as Attachment A, Attachment B, and
15 Attachment C and authorizes the County Administrator to attest to such execution.

16
17 Section 5. The Quitclaim Deeds shall be properly recorded in the
18 Public Records of Broward County, Florida.

19
20 Section 6. Severability.

21 If any portion of this Resolution is determined by any court to be invalid, the
22 invalid portion will be stricken, and such striking will not affect the validity of the
23 remainder of this Resolution. If any court determines that this Resolution, in whole or in
24 part, cannot be legally applied to any individual, group, entity, property, or circumstance,

1 such determination will not affect the applicability of this Resolution to any other
2 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

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: 4842-1100-0018

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 **City of Deerfield Beach, a Florida municipal corporation** ("Grantee"), whose address is 150 NE 2nd Avenue, Deerfield Beach, Florida 33441.

(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/mdw
QCD Folio 4842-1100-0018
1/30/20
#489529

Exhibit A-1

All that portion of the East 50.0 feet of the South Half (S1/2) of the South Half (S1/2) of the Northeast Quarter (NE1/4) of Section 11, Township 48 South, Range 42 East, LESS the North 80.0 feet thereof;

AND

The East 50.0 feet of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE1/4) of said Section 11;

AND

The East 50.0 feet of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of said Section 11,

LESS that part of 1-95 Right-of-Way as described in Circuit Court Minutes Book 225, Page 664, Public Records of Broward County, Florida, also known as C.A. 70-6270.

LESS OR 30449/1936

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
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: 4842-1200-0030

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 **City of Deerfield Beach, a Florida municipal corporation** ("Grantee"), whose address is 150 NE 2nd Avenue, Deerfield Beach, Florida 33441.

(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 Exhibit 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

Exhibit B-1

A parcel of land in the Northwest Quarter (NW 1/4) of Section 12, Township 48 South, Range 42 East, Broward County, Florida, more particularly described as follows:

Beginning at the Southwest corner of the Northwest Quarter (NW 1/4) of said section 12, thence run N1°32'46"W a distance of 1,742.17 feet along the West boundary of said section 12 to a point of intersection with a curve to the right; thence run Northeasterly a distance of 317.04 feet along the arc of said curve, having for its elements a radius of 584.0 feet and a central angle of 31° 06'15" and a chord bearing of N37°53'16"E to a point of intersection with the North boundary of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said section 12; thence run N88°30'20"E a distance of 212.21 feet along said North boundary to a point; thence run S1°28'54" E a distance of 16.18 feet to a point of intersection with a curve to the left; thence run Southwesterly a distance of 626.55 feet along the arc of said curve, having for its elements a radius of 478.0 feet and a central angle of 75°06'06" and a chord bearing of S36°00'17"W to a point of tangency; thence run S1°32'46"E a distance of 1,506.10 feet along a line 56.0 feet East of and parallel to the West boundary of said section 12 to a point; thence run S88°49'24"W a distance of 56.00 feet along the South boundary of the Northwest Quarter (NW 1/4) of said section 12 to the Point of Beginning. LESS the portion described in Official Records Book 5905, Page 266 of Broward County.

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

Attachment C

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: 4842-1200-0630

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 **City of Deerfield Beach, a Florida municipal corporation** ("Grantee"), whose address is 150 NE 2nd Avenue, Deerfield Beach, Florida 33441.

(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 Exhibit C-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 4842-1200-0630
1/30/20
#489531

Exhibit C-1

All that portion of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter AND all that portion of the North One-eighth (N $\frac{1}{8}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 12, Township 48 South, Range 42 East, lying within 53.0 feet of the following described centerline:

BEGINNING at the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 12; thence run Southerly along the East boundary of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 12 a distance of 79.98 feet to the Point of Curvature of a Circular Curve concave to the Northwest, having a radius of 531.0 feet and a central angle of $89^{\circ}59'14''$; thence run Southerly and Westerly along the arc of said curve a distance of 833.98 feet to the Point of Tangency; thence continue Westerly along the tangent produced a distance of 265.76 feet to the Point of Curvature of a Circular Curve concave to the Southeast, having a radius 531.0 feet and a central angle of $90^{\circ}03'06''$; thence run Westerly and Southerly along the arc of said curve a distance of 834.57 feet to the Point of Tangency, said Point being 3.0 feet East of the West boundary of said Section 12 and also being the Termination of the above described centerline:

AND

All that external area lying Northeasterly of an arc formed by a 25.0 foot radius which is tangent to a line 53.0 feet South of and parallel to the North boundary of said Section 12 and tangent to a line 53.0 feet West of and parallel to the West boundary of the East half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 12;

AND

All that external area lying Northwesterly of an arc formed by a 25.0 foot radius which is tangent to a line 53.0 feet South of and parallel to the North boundary of said Section 12 and tangent to a line 53.0 feet East of and parallel to the West boundary of the East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 12.

AND

Less the portion included in Right of Way Map 15/33 of Broward County.

RESOLUTION NO. 2019/176

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE CONVEYANCE OF BROWARD COUNTY OWNED PARCELS LOCATED AT SW 11TH WAY/FAU RESEARCH BOULEVARD TO THE CITY FOR RIGHTS-OF-WAY PURPOSES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS FOR CONVEYANCE OF THE PARCELS; PROVIDING AN EFFECTIVE DATE

WHEREAS, Broward County (the "County") is the owner of the public rights-of-way located on SW 11th Way/FAU Research Park Boulevard in Deerfield Beach, identified as Folio Nos. 484212000630, 484211000018, and 484212000030 (collectively, the "Parcels"); and

WHEREAS, the Parcels contain a public street, sidewalk, and swale that are maintained by the City; and

WHEREAS, to facilitate the grant process and enable improvements proposed to FAU Research Park Boulevard, the City needs to have ownership of the Parcels; and

WHEREAS, on October 17, 2019, the City submitted a letter to the County indicating the City's interest in obtaining ownership of the Parcels; and

WHEREAS, Section 335.0415, Florida Statutes, provides that public roads may be transferred between jurisdictions, with the mutual agreement of the affected government entities; and

WHEREAS, the City Commission has deemed it to be in the best interests of the City to approve the conveyance of the Parcels from the County to the City and authorize the City Manager to execute the necessary documents to effectuate the conveyance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing 'WHEREAS' paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. The City Commission hereby approves the conveyance of the Parcels from the County to the City and agrees to accept the transfer of the Parcels from the County.

Section 3. The City Manager is authorized to execute the necessary documents for the conveyance of the Parcels, with such provisions deemed appropriate by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to take all necessary steps to implement the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

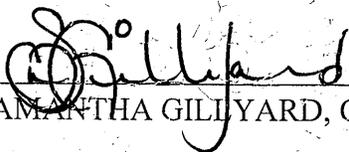
PASSED AND ADOPTED THIS 3RD DAY OF DECEMBER, 2019.

CITY OF DEERFIELD BEACH



BILL GANZ, MAYOR

ATTEST:



SAMANTHA GILLYARD, CMC, CITY CLERK

