



Broward County

Legislation Details (With Text)

File #:	20-842	Version:	1
		Status:	Agenda Ready
		In control:	County Attorney
On agenda:	5/5/2020	Final action:	5/5/2020
Title:	A. MOTION TO APPROVE Agreement for Conveyance of Real Property ("Agreement"), attached hereto as Exhibit 1, between Broward County ("County") and Dorado Bells, LLC ("Dorado"); authorize the Mayor and Clerk to execute the Agreement; and authorize the County Administrator, or the County Administrator's designee, to take all administrative and budgetary actions necessary to effectuate the terms of the Agreement. (Transferred to the Consent Agenda.) ACTION: (T-11:13 AM) Approved. VOTE: 9-0. Commissioners Bogen, Fisher, Rich, Sharief and Vice-Mayor Geller voted in the affirmative telephonically. B. MOTION TO ADOPT budget Resolution No. 2020-266 within the Parks and Land Bond Fund in the amount of Sixty-four Thousand Dollars (\$64,000) for the purpose of funding the purchase of land as set forth in the Agreement. (Transferred to the Consent Agenda.) ACTION: (T-11:13 AM) Approved. VOTE: 9-0. Commissioners Bogen, Fisher, Rich, Sharief and Vice-Mayor Geller voted in the affirmative telephonically.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Exhibit 1 - Copy of Agreement between Broward County and Dorado Bells, LLC, 2. Exhibit 2 - Copy of Budget Resolution		

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

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(Transferred to the Consent Agenda.)

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B. MOTION TO ADOPT budget Resolution No. 2020-266 within the Parks and Land Bond Fund in the amount of Sixty-four Thousand Dollars (\$64,000) for the purpose of funding the purchase of land as set forth in the Agreement.

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Why Action is Necessary

A. Pursuant to Section 1-82 of the Broward County Code of Ordinances, Board approval is required to acquire real property.

B. Board approval is necessary to allocate funds in the Parks and Land Bond fund to effectuate this real property acquisition.

What Action Accomplishes

A. Approves the Agreement between the County and Dorado.

B. Provides funding for the purchase of land as set forth in the Agreement.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

On April 19, 2018, Dorado Bells, LLC ("Dorado"), purchased through a tax deed sale a strip of property totaling approximately 220,175 square feet surrounding a lake in West Lake Park ("West Lake Strip"). Shortly after acquiring the West Lake Strip, Dorado asserted that members of the public were using certain trails and raised walkways established by the County to trespass on the West Lake Strip. Dorado threatened litigation against the County and initially blocked access to the walkways.

Dorado has agreed to resolve this dispute pursuant to the attached Agreement, which provides for the County to purchase the West Lake Strip and a second unrelated parcel (collectively, the "Properties") owned by Dorado for Sixty-four Thousand Dollars (\$64,000). The Agreement provides,

among other things, for the following: depositing the purchase funds into escrow, with Dorado recording the deeds conveying the Properties to the County after such deposit occurs; a one hundred twenty (120) day post-conveyance due diligence period during which the County will seek to verify the accuracy of certain representations made by Dorado and that no encumbrances have been recorded against the Properties prior to recordation, with the County being able to unwind the transaction and receive a return of the deposited funds under specified circumstances (this was included because of the County's inability to obtain adequate title insurance); mutual releases between the parties; each party bearing its own attorneys' fees and costs in connection with the settlement and transaction; and Dorado assigning certain rights to the County that a tax deed holder acquires pursuant to Section 197.602, Florida Statutes (the impact of which will be addressed during individual briefings).

Source of Additional Information

Michael J. Kerr, Deputy County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

\$64,000 from the Parks and Land Bond Fund.