

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY OF FORT LAUDERDALE PURSUANT TO CITY CHARTER SECTION 8.04 AMENDING RESOLUTION NO. 15-26 WHICH DECLARED CERTAIN PROPERTY, MORE PARTICULARLY DESCRIBED BELOW, NOT NEEDED FOR PUBLIC USE AND DECLARED AND DETERMINED THAT IT WAS IN THE BEST INTERESTS OF THE CITY THAT SUCH PROPERTY BE OFFERED FOR SALE FOR A MINIMUM BID AS SET FORTH BELOW; REQUIRING THE CITY CLERK TO PUBLISH THIS RESOLUTION IN FULL IN ONE (1) ISSUE OF THE OFFICIAL NEWSPAPER OF THE CITY WITHIN SEVEN (7) DAYS OF THE ADOPTION HEREOF; SUCH AMENDMENT PROVIDING THAT THE BROKERAGE COMMISSION WILL BE PAID BY THE PURCHASER; AMENDING THE DATE THAT BIDS MUST BE SUBMITTED AS NOT LATER THAN 2:00 PM, **MAY 7, 2015** WITH THIS MATTER TO BE SCHEDULED BEFORE THE CITY COMMISSION ON **JUNE 16, 2015** TO CONSIDER A RESOLUTION ACCEPTING THE BEST OFFER FOR SUCH PROPERTY AND AUTHORIZING CONVEYANCE OF SUCH PROPERTY OR REJECTING ANY AND ALL OFFERS; REPEALING ANY RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Resolution No. 15-26 was adopted by the City Commission on February 17, 2015, declaring certain property not needed for public use and declaring that it is in the best interests of the City that such property be offered for sale; and

WHEREAS, City management has determined that it is in the best interests of the City that a brokerage commission be paid by the successful bidder and that Resolution No. 15-26 be amended to include that among the terms and conditions of the sale it be required that the successful bidder / purchaser be required to pay a brokerage commission of 4.0% of the gross sales price as a Buyer expense at the time of the closing; and

WHEREAS, on April 23, 2003 by Warranty Deed of even date, recorded at Official Records Book 35078, Page 730 of the Public Records of Broward County, Florida, the City acquired title to the below described property from The Anthony Family Limited Partnership, a Florida limited partnership, such property being described as:

Lot 16 through 24, both inclusive, less the South 15 feet of said Lot 24, all in Block 178, of PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, at Page 18 of the Public Records of Miami-Dade County, Florida; said lands lying, situate and being in the City of Fort Lauderdale, Broward County, State of Florida.

Property Identification # 4942 34 04 7490
Approximate Street Address – 825 E. Sunrise Boulevard,
Fort Lauderdale, FL 33304
(hereinafter, “Property”)

WHEREAS, the Property has been vacant and unimproved since it was acquired by the City; and

WHEREAS, it is desirable to the City of Fort Lauderdale that the Property be sold, as it serves no public use and requires periodic maintenance without any beneficial return to the City other than avoidance of nuisance conditions; and

WHEREAS, pursuant to City Charter Section 8.04, the City is authorized to sell public lands, title to which is vested in the City, to any private person, upon certain terms and conditions; and

WHEREAS, the City Commission finds that it is in the best interests of the City to offer the Property for sale;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission hereby declares that the Property described above is not needed for public use and that it is in the best interests of the City to sell the Property, upon terms and conditions hereinafter set forth.

SECTION 2. City staff recommend and, in accordance with City Charter Section 8.04 the City Commission has determined that the value of the Property is **\$1,134,000.00**, based upon the opinion of its broker and that the Property, should be offered for sale pursuant to City Charter Section 8.04, that the sale shall be for cash, but that the City Commission has determined that the sale shall not be for less than one-hundred (100%) per cent of the value as set forth above and that the sale be subject to additional terms and conditions set forth herein.

SECTION 3. The Property described above is hereby offered for sale subject to the following additional terms and conditions:

- A. The City shall sell the Property without competitive bidding to the party making the best offer, but the City may reject any and all offers at any time.
- B. The sale of the Property shall be for cash due at closing and no purchase money mortgage will be held by the City.
- C. The offer shall be accompanied by a cashier's check or certified check payable to the City of Fort Lauderdale in an amount equal to at least ten (10%) per cent of the offered purchase price.
- D. The upon award, the successful bidder shall execute a Contract for Purchase and Sale of the Property, including an Addendum thereto, a substantial copy of which is on file in the City Clerk's Office.
- E. The conveyance of the Property to the successful bidder shall be by Quit Claim Deed.
- F. In addition to the gross sales price, the successful bidder / purchaser shall be required to pay to the City's broker of record, CBRE, Inc., a Delaware corporation a brokerage commission of 4.0% of the gross sales price as a Buyer expense at the time of the closing.

SECTION 4. All bids must be submitted to City of Fort Lauderdale, Department of Finance, Procurement Division, 100 North Andrews Avenue, Fort Lauderdale, FL 33301-1016, no later than 2:00 PM **May 7, 2015.**

SECTION 5. Review of the bids by the City Commission shall be scheduled for 6:00 PM, on June 16, 2015 at the Regular Meeting of the City Commission, or as soon thereafter as same may be heard. During the intervening period between the adoption of this Resolution and June 16, 2015, taxpayers and registered electors of the City may protest or object to the sale, or propose other public uses for the Property, and the City Commission may rescind its former action and repeal this Resolution declaring that the Property should not be sold, if it deems same expedient, proper and in the best interests of the City.

SECTION 6. At the **June 16, 2015** Regular Meeting of the City Commission, the City Commission may adopt a Resolution accepting the best offer, authorizing execution of the Contract for Purchase and Sale of the Property, including the Addendum thereto, and execution and delivery of the deed of conveyance pursuant to the terms and conditions of the Contract for Purchase and Sale and Addendum, but the City Commission shall not be so obligated and may reject any and all offers.

SECTION 7. Pursuant to City Charter Section 8.04, within seven (7) days after the adoptions of this Resolution, this Resolution shall be published in full by the City Clerk in one (1) issue of the official newspaper.

SECTION 8. That any prior resolutions or parts thereof in conflict with this Resolution are hereby repealed.

SECTION 9. That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this the 17th day of March, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH