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RESOLUTION NO. 16-39

A RESOLUTION OF THE CITY OF FORT LAUDERDALE PURSUANT TO CITY CHARTER SECTION 8.04 DECLARING CERTAIN PROPERTY, MORE PARTICULARLY DESCRIBED BELOW, NOT NEEDED FOR PUBLIC USE DECLARING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY THAT SUCH PROPERTY BE OFFERED FOR SALE FOR A MINIMUM BID AS SET FORTH BELOW, WITH BIDS TO BE SUBMITTED NO LATER THAN 2:00 PM, **APRIL 19, 2016** AND THIS MATTER BE SCHEDULED BEFORE THE CITY COMMISSION ON **MAY 3, 2016**, TO CONSIDER A RESOLUTION ACCEPTING THE BEST OFFER FOR SUCH PROPERTY AND AUTHORIZING CONVEYANCE OF SUCH PROPERTY OR REJECTING ANY AND ALL OFFERS; 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; REPEALING ANY RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 11, 2011, by Quit Claim Deed of even date, recorded at Official Records Book 47653, Page 1822 of the Public Records of Broward County, Florida, the City acquired title to the below described property from Broward County, such property being described as:

Section 29, Township 49 South, Range 42 East, Commencing at the SE corner of the SW $\frac{1}{4}$ west along the south line 1,661.77 feet, north 40.02 feet to the point of beginning, thence, westerly 125.46 feet, northwesterly 35.85 feet, north 99.34 feet, easterly along the south line of a 20 foot alley for 151.18 feet, and south 125.07 feet to the point of beginning; as recorded in the Public Records of Broward County, Florida, said land situate, lying and being in Broward County, Florida.

Property Identification # 4942-29-00-0330
Approximate Street Address – 2941 NW 19th Street, Fort Lauderdale,
Florida
(hereinafter, "Property")

WHEREAS, the Property is approximately 18,567 square feet with a 1,583 square foot building. The building was originally a residential property that was last used as a daycare facility; 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 **\$177,000.00** and that the Property, based upon the appraisal performed by Adrian Gonzalez and Associates, 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 appraised 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. The City's broker of record is CBRE. As a condition hereof and the Deposit Receipt Contract for Purchase and Sale and Addendum thereto shall provide that the successful bidder / Buyer is obligated to pay, at the time of closing, to the City's broker of record a brokerage commission of 4.0% of the sales price of the Property. If the successful bidder / Buyer has retained a broker, there may be additional brokerage fees payable at 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 April 19, 2016.

SECTION 5. Review of the bids by the City Commission shall be scheduled for 6:00 PM, on May 3, 2016 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 May 3, 2016, 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, property and in the best interests of the City.


SECTION 6. At the May 3, 2016 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 adoption 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 1st day of March, 2016.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JEFFREY A. MODARELLI

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