RESOLUTION NO. 18-167

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO CITY CHARTER SECTION 8.04 DECLARING CERTAIN PROPERTY LOCATED AT 5XX NE 7 AVENUE, FORT LAUDERDALE, FLORIDA AS NOT NEEDED FOR PUBLIC USE; DECLARING AND DETERMINING THAT IT IS IN THE BEST INTEREST 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 ON **SEPTEMBER 18, 2018** AND THAT OFFERS BE PRESENTED TO THE CITY COMMISSION ON **SEPTEMBER 25, 2018**, 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 June 1st, 1971, the City acquired title to the property located at 5XX NE 7th Avenue, Fort Lauderdale, Florida by Warranty Deed, such property being described as:

HOLMBERG & MC KEES SUB 1-112 D LOT 12 BLK 4

Property Identification # 5042-02-01-0730

WHEREAS, the Property is approximately 6,750 square feet of Paved Asphalt with Metered Parking; and

WHEREAS, upon information and belief, the Property was Paved and Metered Parking was installed since acquisition by the City; and

WHEREAS, the City Commission finds that the Property is no longer needed for public or governmental purposes and deems it in the best interest of the City to advertise the Property to be sold "as-is" under the provisions of Section 8.04 of the City Charter; 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, pursuant to the terms and conditions set forth in section 8.04 of the City Charter, deems it in the best interest of the citizens to seek bids from interested persons;

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 recommends and, in accordance with City Charter Section 8.04, the City Commission has determined that the as-is value of the Property is **$345,000** and that the Property, based upon the appraisal performed by Allied Appraisal Services, Inc., should be offered for sale pursuant to City Charter Section 8.04 and that the sale shall be for cash. Further, the City Commission has determined that it shall not accept offers to purchase for less than 100% of appraised value and that the sale shall 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%) percent of the approved purchase price.

D. That upon award, the successful bidder shall execute a Contract for Purchase and Sale of the Property, including an Addendum thereto, subject to review and approval by the City Attorney's Office.

E. The conveyance of the Property to the successful bidder shall be by Quit Claim Deed, and the successful bidder shall bear all closing cost(s).

F. Any and all outstanding bonds must be satisfied and discharged at closing from the proceeds of the sale of the Property and the purchase price must be sufficient to pay and discharge such bonds or obligations according to their terms.

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 on **September 18, 2018**.

SECTION 5. Review of the bids by the City Commission shall be scheduled for 6:00 pm, on **September 25, 2018** 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 September 25, 2018, 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 interest of the City.

SECTION 6. At the Regular Meeting of the City Commission on **September 25, 2018**, 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 obligated to do so 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 4th day of September, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI