

# CITY OF FORT LAUDERDALE

## RESOLUTION NO. 19-11

RESOLUTION NO. 19-11 OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING NOTICE OF INTENT TO CONVEY REAL PROPERTY, DESCRIBED BELOW, TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR PUBLIC PURPOSES PURSUANT TO SECTION 8.02 OF THE CITY CHARTER SUBJECT TO TERMS AND CONDITIONS; PROVIDING NOTICE OF A PUBLIC HEARING BEFORE THE CITY COMMISSION ON **FEBRUARY 19, 2019** FOR CONSIDERATION OF THE TERMS AND CONDITIONS AND TO AUTHORIZE EXECUTION OF THE CONVEYANCE INSTRUMENTS BY THE PROPER CITY OFFICIALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale holds all right, title and interest in vacant land described in Exhibit "A" (the "Property"); and

WHEREAS, the Florida Department of Transportation ("FDOT"), a governmental agency, was created to provide a safe transportation system; and

WHEREAS, the City of Fort Lauderdale intends to convey the Property to the Florida Department of Transportation for the express purpose of providing public Right-of-Way; and

WHEREAS, the City Commission finds that such activity constitutes a public purpose.

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

SECTION 1. The Recitals are true and correct and hereby incorporated in this Resolution.

SECTION 2. That the City Commission of the City of Fort Lauderdale, pursuant to Section 8.02 of the City Charter, hereby declares its intention to convey the real property described in Exhibit "A" (the "Property") located at 3000 East Las Boulevard, Fort Lauderdale, Florida to the Florida Department of Transportation in consideration of One and No/100 Dollars (\$1.00), but subject to the condition that the Florida Department of Transportation provides a public Right-of-Way.

SECTION 3. That the City Commission declares that transfer of the Property to the Florida Department of Transportation is in the best interest of the City as the transfer will provide a public benefit.

SECTION 4. That the transfer of all right, title and interest is subject to the following terms and conditions:

4.1 The Florida Department of Transportation shall accept title to the Property subject to all title defects and other adverse matters and conditions affecting the Property; and

4.2 The City shall convey title by Quit Claim Deed, which shall include a covenant to provide public Right-of-Way on the Property within five (5) years of the date of the Deed. Otherwise, the Property shall revert to the City of Fort Lauderdale.

SECTION 5. That a Public Hearing shall be heard before the City Commission on Tuesday, **February 19, 2019** at 6:00 p.m., or as soon thereafter as can be heard, at 100 North Andrews Avenue, Fort Lauderdale, FL 33301 regarding the proposed transfer at which time citizens and taxpayers shall have the opportunity to object to the execution, form or conditions of the proposed transfer, and if the City Commission is satisfied with the terms and conditions of the proposed transfer, the Commission will approve a Resolution authorizing transfer of the Property by the proper City Officials.

SECTION 6. That the City Clerk shall cause this Resolution to be published in full in the official newspaper for two (2) issues, with the first publication at least ten (10) days before the date of such Public Hearing scheduled for Tuesday, **February 19, 2019** and second publication one (1) week after the first publication.

SECTION 7. That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this the 22nd day of January, 2019.

Mayor, DEAN J. TRANTALIS, ATTEST: City Clerk, JEFFREY A. MODARELLI

CAM # 19-0178

Exhibit 3

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