

RESOLUTION NO. 2014-____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE TO THE TOWN OF DAVIE, PURSUANT TO SECTION 197.592, FLORIDA STATUTES, OF AN UNBUILDABLE COUNTY-OWNED PARCEL OF REAL PROPERTY IDENTIFIED AS FOLIO NUMBER 5041-16-01-0010, LOCATED IN THE TOWN OF DAVIE AND ACQUIRED BY THE COUNTY BY VIRTUE OF THE PROPERTY BEING DELINQUENT TAX LAND; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Broward County ("County") acquired title to one unbuildable parcel of real property identified as Folio Number 5041-16-01-0010, as more particularly described in the legal description within the form of quit claim deed, attached hereto and made a part hereof as Exhibit "A" ("Property"), which escheated to the County by virtue of delinquent ad valorem tax payment in accordance with the law; and

WHEREAS, pursuant to Section 197.592, Florida Statutes, "[l]ands acquired by any county of the state for delinquent taxes in accordance with law which have not been previously sold, acquired for infill housing, or dedicated by the board of county commissioners, which the board of county commissioners has determined are not to be conveyed to the record fee simple owner . . . , and which are located within the boundaries of an incorporated municipality of the county shall be conveyed to the governing board of the municipality in which the land is located. . . "; and

WHEREAS, the Property has not been previously sold, acquired for infill housing, or dedicated by the Board of County Commissioners; and

1 WHEREAS, the Board of County Commissioners has determined that the
2 Property is not to be conveyed to the record fee simple owner as the former owner of
3 the Property has not filed a verified application or petition with the Board of County
4 Commissioners seeking the restitution of the Property in the manner prescribed by
5 Section 197.592, Florida Statutes; and

6 WHEREAS, the Property is located within the boundaries of the Town of Davie,
7 NOW, THEREFORE,

8
9 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
10 BROWARD COUNTY, FLORIDA:

11
12 Section 1. The recitals set forth in the preamble to this Resolution are
13 incorporated by reference herein.

14 Section 2. The Mayor or Vice Mayor of the Board of County Commissioners is
15 hereby authorized to execute a quit claim deed to the Town of Davie in the form
16 attached hereto as Exhibit "A," and such other related documents, if any, as needed to
17 effect the conveyance of the Property to the Town of Davie.

18 Section 3. The Property conveyed shall be freely alienable by the Town of
19 Davie without regard to third parties, and liens of record currently held by the County on
20 this parcel shall not survive this conveyance.

21 Section 4. SEVERABILITY. If any portion of this Resolution is determined by
22 any Court to be invalid, the invalid portion shall be stricken, and such striking shall not
23 affect the validity of the remainder of this Resolution. If any Court determines that this
24 Resolution, or any portion hereof, cannot be legally applied to any individual(s),

1 group(s), entity(ies), property(ies), or circumstance(s), such determination shall not
2 affect the applicability hereof to any other individual group, entity, property, or
3 circumstance.

4 Section 5. EFFECTIVE DATE. This Resolution shall become effective upon
5 its adoption.

6
7 ADOPTED this _____ day of _____, 2014.
8
9
10
11
12
13
14
15
16
17
18
19
20
21

22 CRC:dmv
12/11/13
23 daviereso-unbuildable parcel 12 11 13.doc
13-089.42
24

Exhibit "A"

This instrument prepared by:
Tatiana Escobar, Property Agent II of
Real Property Section
and approved as to form by:
Office of County Attorney
115 South Andrews Ave, Rm. 423
Fort Lauderdale, FL 33301
954-357-7600

QUIT CLAIM DEED

(Pursuant to Section 125.411 Florida Statutes)

THIS DEED, made this day of _____, _____, by BROWARD COUNTY, a political subdivision of the State of Florida (the "GRANTOR"), whose address is Governmental Center, 115 South Andrews Avenue, Room 423, Fort Lauderdale, Florida 33301, and the TOWN OF DAVIE, a Florida municipal corporation (the "GRANTEE"), whose address is: 6591 Orange Drive, Florida, 33314.

W I T N E S S E T H:

That GRANTOR for and in consideration of the sum of TEN DOLLARS (\$10.00) to it in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to GRANTEE, its heirs, successors and assigns, forever, the following described lands, lying and being in Broward County, Florida, to wit, as shown in Exhibit "A-1":

Folio Number 5041-16-01-0010

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behalf of the said Grantee forever.

SUBJECT TO:

1. All existing public purpose utility and government easements and rights of way.
2. Resolution _____, approved by the Board of County Commissioners of Broward County, Florida, on _____ (date), approving the conveyance pursuant to Section 197.592, Florida Statutes, said Resolution recorded simultaneously herewith.
3. All other matters of record and taxes for the year 20____, and subsequent years.

IN WITNESS WHEREOF, GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice-Mayor of said Board, the day and year aforesaid.

(Official Seal)
ATTEST:

County Administrator and
Ex-Officio Clerk of the
Board of County Commissioners
of Broward County, Florida

BROWARD COUNTY, FLORIDA
by its Board of County Commissioners

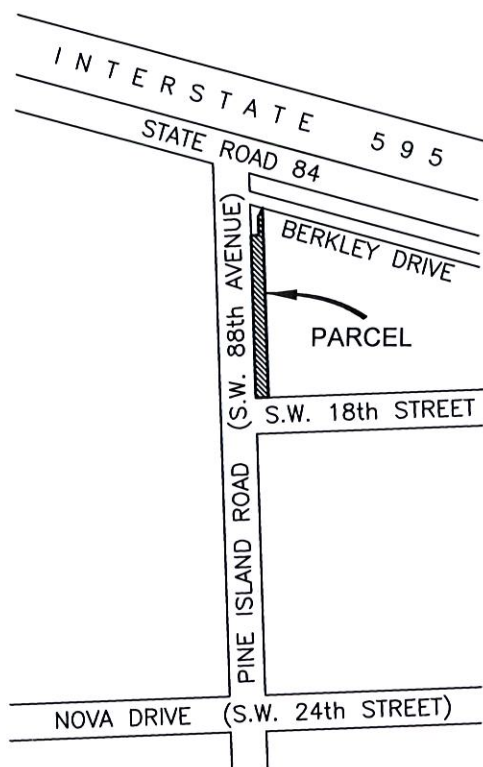
By _____
Mayor

_____ day of _____, 20_____.

REF: Approved BCC _____ Item No: _____
Return to BC Real Property Section

EXHIBIT "A-1"

SECTION 16, TOWNSHIP 50 SOUTH, RANGE 41 EAST



LOCATION SKETCH
BROWARD COUNTY, FLORIDA
 NOT TO SCALE

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION CONSISTING OF SHEETS ONE THROUGH SIX IS TRUE, CORRECT AND COMPLETED ON 11-13-13 AND IS DONE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Frank J. Guiliano
 FRANK J. GUILIANO
 PROFESSIONAL SURVEYOR & MAPPER NO. 5768
 NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL
 RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOTE:

- 1) BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 50 SOUTH, RANGE 41 EAST, AS SHOWN ON THE PLAT "PARK CITY - SECTION ONE" AS RECORDED IN PLAT BOOK 49, PAGE 11, BROWARD COUNTY RECORDS; HAVING A BEARING OF N 02°16'40" W.
- 2) UNDERGROUND UTILITIES AND IMPROVEMENTS WERE NOT LOCATED.
- 3) DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.
- 4) REFERENCED INSTRUMENTS ARE RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, UNLESS INDICATED OTHERWISE.

THIS IS NOT A SURVEY,

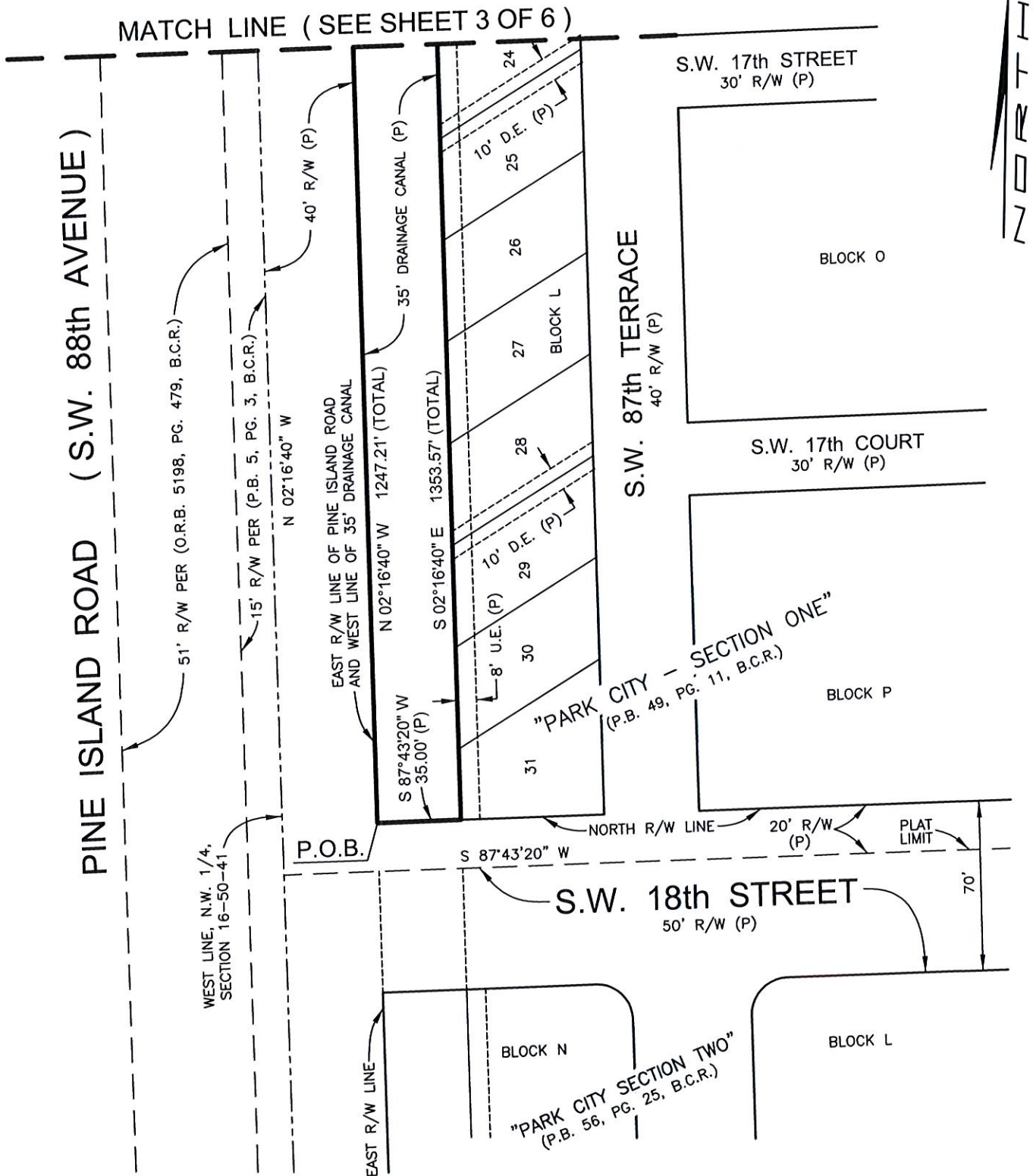
but only a graphic depiction of the description shown hereon or attached hereto. There are no monuments set in connection with the preparation of the information shown hereon. Broward County makes no representation or guarantees as to the information shown hereon pertaining to easements, rights-of-ways, setback lines, reservations agreements, etc., nor is it the intent of this instrument to reflect all such matters. Such information should be obtained and confirmed by others through appropriate title verification.

LEGEND:

B.C.R. = BROWARD COUNTY RECORDS	(P) = PLAT
D.C.R. = DADE COUNTY RECORDS	P.B. = PLAT BOOK
D.E. = DRAINAGE EASEMENT	PG. = PAGE
E.A.E. = EMERGENCY ACCESS EASEMENT	P.O.B. = POINT OF BEGINNING
M.M.B. = MAINTENANCE MAP BOOK	R/W = RIGHT-OF-WAY
O.R.B. = OFFICIAL RECORDS BOOK	U.E. = UTILITY EASEMENT

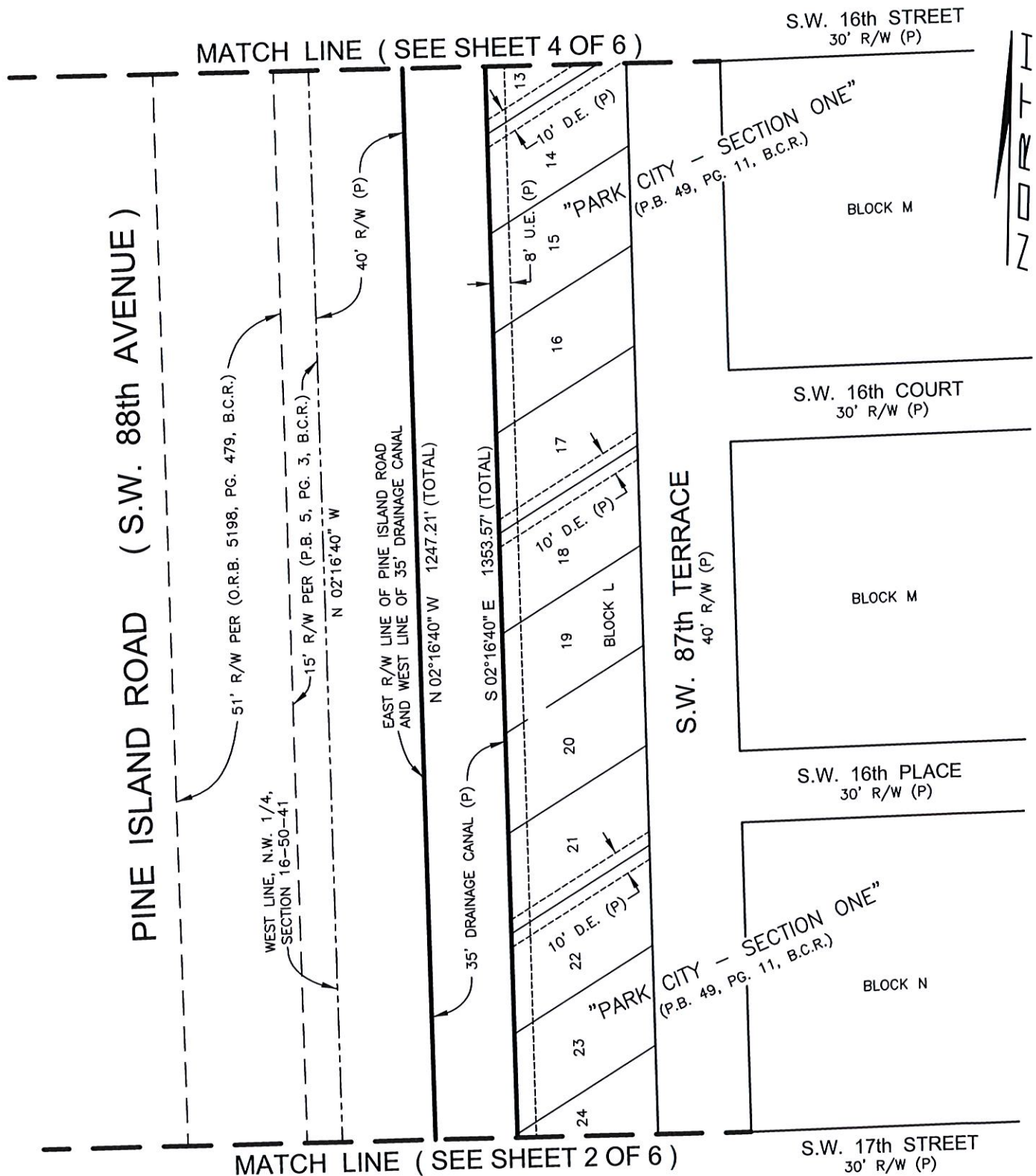
2. 02-27-14	PARCEL BOUNDARIES REVISED	JSH
1. 01-22-14	PARCEL BOUNDARIES REVISED	JSH
DATE	REVISIONS	BY

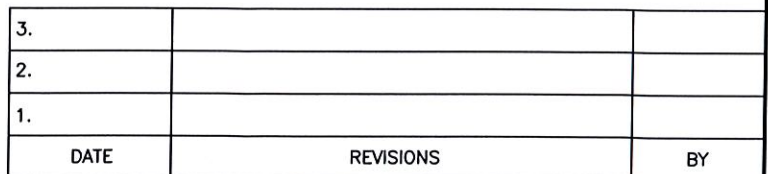
Scale:	Drawn By:	Date:	Checked By:	Date:	File Location:
Not To Scale	JSH	11-13-13	F. Guiliano	11-13-13	E:\RW\Capital-Proj\5399-Pine Island Road\Parcel Sketch Sheets 1 & 2.dwg

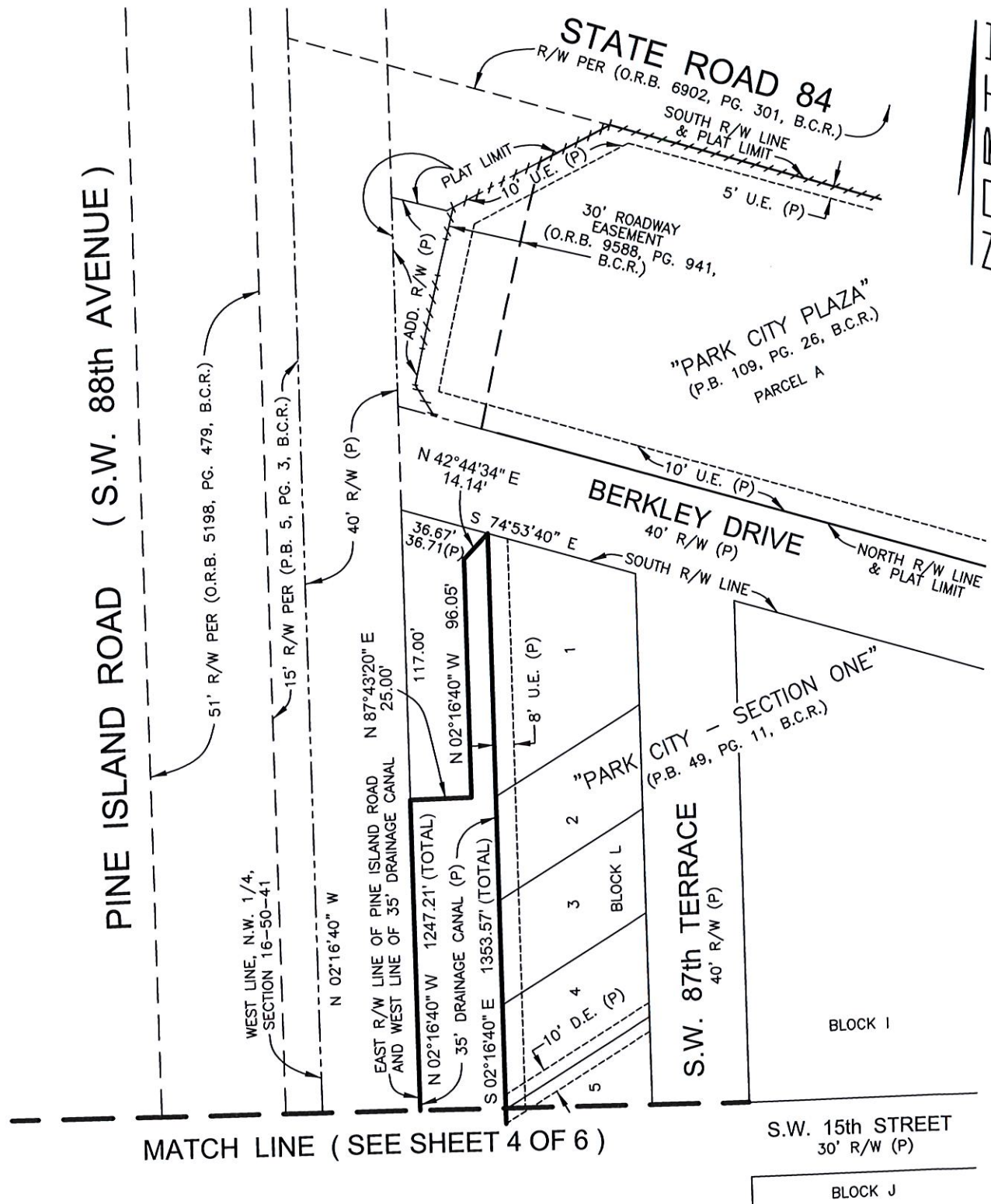


3.		
2.		
1.		
DATE	REVISIONS	BY

Scale:	Drawn By:	Date:	Checked By:	Date:	File Location:
1" = 60'	JSH	11-13-13	F. Guiliano	11-13-13	E:\RW\Capital-Proj\5399-Pine Island Road\Parcel Sketch Sheets 1 & 2.dwg







3.		
2. 02-27-14	PARCEL BOUNDARIES REVISED	JSH
1. 01-22-14	PARCEL BOUNDARIES REVISED	JSH
DATE	REVISIONS	BY
Scale:	Drawn By:	Date:
1" = 60'	JSH	11-13-13
Checked By:	Date:	File Location:
F. Guiliano	11-13-13	E:\RW\Capital-Proj\5399-Pine Island Road\Parcel Sketch Sheets 5 & 6.dwg

LEGAL DESCRIPTION:

A PORTION OF THE 35 FOOT DRAINAGE CANAL, AS PER THE PLAT OF "PARK CITY - SECTION ONE", RECORDED IN PLAT BOOK 49, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN ON A POINT AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF PINE ISLAND ROAD (S.W. 88th AVENUE), SAID LINE ALSO BEING THE WEST LINE OF SAID 35 FOOT DRAINAGE CANAL, AND THE NORTH RIGHT-OF-WAY LINE OF S.W. 18th STREET; THENCE N 02°16'40" W ALONG SAID EAST RIGHT-OF-WAY LINE OF PINE ISLAND ROAD (S.W. 88th AVENUE), 1247.21 FEET; THENCE N 87°43'20" E, 25.00 FEET; THENCE N 02°16'40" W, 96.05 FEET; THENCE N 42°44'34" E, 14.14 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BERKLEY DRIVE AS PER PLAT BOOK 49, PAGE 11, BROWARD COUNTY RECORDS, AND THE EAST LINE OF SAID 35 FOOT DRAINAGE CANAL; THENCE S 02°16'40" E ALONG SAID EAST LINE, 1353.57 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF S.W. 18th STREET; THENCE S 87°43'20" W ALONG SAID NORTH RIGHT-OF-WAY LINE, 35.00 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATE, LYING, AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, AND CONTAINING 44,666 SQUARE FEET (1.025 ACRES), MORE OR LESS.

3.		
2. 02-27-14	PARCEL BOUNDARIES REVISED	JSH
1. 01-22-14	PARCEL BOUNDARIES REVISED	JSH
DATE	REVISIONS	BY

Scale:	Drawn By:	Date:	Checked By:	Date:	File Location:
Not To Scale	JSH	11-13-13	F. Guiliano	11-13-13	E:\RW\Capital-Proj\5399-Pine Island Road\Parcel Sketch Sheets 5 & 6.dwg