

RESOLUTION NO. 2017-

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED LAND
5 TO THE CITY OF DEERFIELD BEACH FOR ROAD
6 RIGHT-OF-WAY PURPOSES; AND PROVIDING FOR
7 SEVERABILITY AND AN EFFECTIVE DATE.

8 WHEREAS, Broward County ("County") owns title to certain real property
9 identified as folio number 4842-12-00-0600 ("Property"), as more particularly described
10 in the legal description within the Quitclaim Deed attached hereto and made a part
11 hereof as Exhibit A ("Quitclaim Deed"); and

12 WHEREAS, County acquired title to the Property through a warranty deed
13 recorded on July 17, 1975, in Official Records Book 6272, Page 560, of the Public
14 Records of Broward County, Florida ("County's Deed"); and

15 WHEREAS, County's Deed is subject to a deed restriction, which requires the
16 Property to revert to the prior owners if the County, or any duly authorized municipality
17 by duly adopted resolution or ordinance, shall cease to use the Property as a road
18 right-of-way; and

19 WHEREAS, the City of Deerfield Beach ("City") desires to acquire the Property
20 for the purpose of a road right-of-way; and

21 WHEREAS, pursuant to Section 335.0415, Florida Statutes, "[p]ublic roads may
22 be transferred between jurisdictions only by mutual agreement of the affected
23 governmental entities[]"; and

24 WHEREAS, on August 23, 2016, the City Commission of the City of Deerfield
Beach adopted Resolution No. 2016/157, which authorized the City to accept a
quitclaim deed for the Property; and

1 WHEREAS, the Board of County Commissioners of Broward County, Florida
2 ("Board"), finds that the Property is not needed for County purposes, and that it is in the
3 best interest of the County to convey the Property to the City for road right-of-way
4 purposes, NOW, THEREFORE,

5
6 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
7 BROWARD COUNTY, FLORIDA:

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9 Section 1. The recitals set forth in the preamble to this Resolution are true,
10 accurate, and deemed as being incorporated by reference herein as though set forth in
11 full hereunder.

12 Section 2. Pursuant to Section 335.0415, Florida Statutes, the Board
13 authorizes the conveyance of the Property to the City.

14 Section 3. The Board authorizes the Mayor or Vice-Mayor of the Board to
15 execute the Quitclaim Deed, in the form of the attached Exhibit A, and the County
16 Administrator to attest to the execution.

17 Section 4. The Quitclaim Deed shall be properly recorded in the Public
18 Records of Broward County, Florida.

19 Section 5. SEVERABILITY.

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

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

3 Section 6. EFFECTIVE DATE.

4 This Resolution shall become effective upon adoption.

5
6 ADOPTED this _____ day of _____, 2017.

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10 Approved as to form and legal sufficiency:
11 Andrew J. Meyers, County Attorney

12
13 By /s/ Irma Qureshi 10/31/17
14 Irma Qureshi (date)
15 Assistant County Attorney

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20
21
22 IQ/dnt
23 10/31/17
24 Reso Accepting Warranty Deed - City of Deerfield Beach
#17-008
#17-089
242877

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

EXHIBIT A

Folio: 4842-12-00-0600

QUITCLAIM DEED

(Pursuant to Section 125.411, Florida Statutes)

THIS DEED, made this ___ day of _____, 2017, 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 CITY OF DEERFIELD BEACH, a Florida municipal corporation (the "GRANTEE"), whose address is 150 N.E. Second Avenue, Deerfield Beach, Florida 33441.

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 successors and assigns, forever, all of GRANTOR's rights, title, and interest, if any, in and to the following described lands, lying and being in Broward County, Florida:

See Exhibit A-1 attached hereto and made a part hereof

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 335.0415, Florida Statutes, said Resolution recorded simultaneously herewith.
3. All other matters of record and taxes for the year 20___, and subsequent years.
4. The deed restriction for public road right of way purposes as recorded on July 17, 1975, in Official Records Book 6272, Page 560, of the Public Records of Broward County, Florida.

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.

COUNTY

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
Ex-officio Clerk of the Broward County
Board of County Commissioners

By _____
Mayor
____ day of _____, 20__

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
Irma Qureshi (Date)
Assistant County Attorney

Annika E. Ashton (Date)
Assistant County Attorney

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

IQ/dnt
10/26/17
QCD - Reso Accepting Warranty Deed - City of Deerfield Beach
#17-089
231859

EXHIBIT A-1

The West 60 feet of the East 70 feet of the Southwest one-quarter (SW 1/4) of the Southwest one-quarter (SW 1/4) of Section 12, Township 48 South, Range 42 East, less the South 35 feet thereof;

and

the South 380 feet of the East 10 feet of the Southwest one-quarter (SW 1/4) of the Southwest one-quarter (SW 1/4) of the said Section 12, Township 48 South, Range 42 East, less the South 35 feet thereof.

Folio Number: 4842-12-00-0600