

RESOLUTION NO. 18-07-03

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE SALE OF CERTAIN SURPLUS REAL PROPERTY LOCATED AT 900 PARK AVENUE, IN THE AMOUNT OF \$802,000.00 U.S. DOLLARS WITH B H VENTURES, INC., 4437 HOLLYWOOD BOULEVARD, HOLLYWOOD, FLORIDA; DIRECTING THAT THE PROCEEDS DERIVED FROM THE SALE OF SAID SURPLUS REAL PROPERTY BE DEPOSITED IN THE GENERAL FUND; DIRECTING THAT THE TOWN'S FIXED ASSET RECORDS BE AMENDED TO REFLECT THE DISPOSAL OF SAID REAL PROPERTY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town of Lake Park (Town) is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town is the owner of real properties within the municipal borders of the Town; and

WHEREAS, the Town Commission has determined that the certain real property located at 900 Park Avenue ("subject property"), which is owned by the Town no longer serves a public purpose; and

WHEREAS, said real property no longer serves a public purpose and is therefore considered surplus property of the Town; and

WHEREAS, the Town and its citizens would benefit from the proceeds collected from the sale of surplus real properties; and

WHEREAS, in 2002, the Town Manager of the Town of Lake Park requested the Town Commission to adopt a Resolution authorizing the offer for sale of the subject property and the conditions of sale; and

WHEREAS, The Town Commission adopted Resolution No. 15-2002 declaring the subject property as surplus and not needed for public use; and

WHEREAS, the subject property was advertised for sale in the Palm Beach Post for one day with a closing date of March 31, 2003 at 2:00p.m.; and

WHEREAS, only one proposal to purchase the subject property was received by the Town;
and

WHEREAS, the Town Manager forwarded the offer to the Town Commission for consideration; and

WHEREAS, the Town of Lake Park held a public hearing on the matter of the sale of the subject property, which public hearing was duly noticed in the Palm Beach Post at least 15 days prior to the public hearing; and

WHEREAS, on May 21, 2003, the Town Commission determined that it was in the best interest of the health, safety and general welfare of the Town and its citizens to reject the offer and re-advertise the subject property for sale; and

WHEREAS, the subject property was re-advertised for sale in the Palm Beach Post on May 25, 2003, with an asking price of \$850,000.00, for one day with a closing date of June 12, 2003 at 2:00 p.m.; and

WHEREAS, the highest proposal to purchase the subject property was received by the Town in the amount of \$802,000.00; and

WHEREAS, the Town Manager forwarded the offers to the Town Commission for consideration; and

WHEREAS, the Town of Lake Park held a public hearing on the matter of the sale of the subject property, which public hearing was duly noticed in the Palm Beach Post at least 15 days prior to the public hearing; and

WHEREAS, the Town Commission determined that it was in the best interest of the health, safety and general welfare of the Town and its citizens to accept the offer to purchase the subject property.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the Town of Lake Park, Florida, as follows:

SECTION 1 That certain Town owned real property described as:

900 Park Avenue, Lake Park, Florida

PCN# 36-43-42-20-01-002-0010

Lot 1 thru 7, Block 2, Lake Park (f/k/a Kelsey City) according to the plat thereof, as recorded in Public Records of Palm Beach County, Florida

is classified as surplus real property and shall be sold to B H Ventures, Inc., 4437 Hollywood Boulevard, Hollywood, Florida, for a purchase price of \$802,000.00 pursuant to a written Purchase and Sale Agreement.

SECTION 2 That the Town Manager is hereby authorized to execute the Purchase and Sale Agreement on behalf of the Town and any other documents required to complete the purchase and sale transaction.

SECTION 3 That the Town Manager is hereby directed to ensure that all proceeds derived from disposal of said surplus real property are deposited in the Town's General Fund.

SECTION 4 That the Town Manager is hereby directed to see to it that the Fixed Asset records of the Town are amended to reflect disposal of said surplus real property in the manner required by the Auditor General.

SECTION 5 That the conditions of sale determined by the Town Commission shall be made a part of the Purchase and Sale Agreement. Approval of the Purchase and Sale Agreement and any amendments or addenda thereto is conditioned upon the review and acceptance by the Town Attorney.

SECTION 6
This Resolution shall take effect immediately upon its adoption.

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The foregoing RESOLUTION was offered by Commissioner Balius who moved its adoption. The motion was seconded by Commissioner Otterson, and upon being put to a vote, the results were as follows.

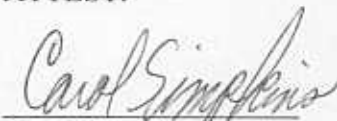
	AYE	NAY
Mayor Paul Castro	<u>X</u>	_____
Vice Mayor G. Chuck Balius	<u>X</u>	_____
Commissioner Bill Otterson	<u>X</u>	_____
Commissioner Paul Garretson	<u>X</u>	_____
Commissioner Jeanine Longtin	_____	<u>X</u>

The Mayor thereupon declared the foregoing RESOLUTION NO. 18-07-03 duly passed and adopted this 16th day of July, 2003.

TOWN OF LAKE PARK, FLORIDA

BY: 
Paul Castro, Mayor

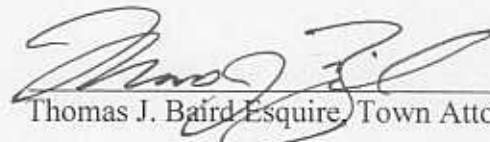
ATTEST:


Carol Simpkins, CMC
Town Clerk

(Town Seal)



Approved as to form and legal sufficiency


Thomas J. Baird Esquire, Town Attorney