

RESOLUTION NO. 52-11-16

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, PROPOSING TO DESIGNATE THE PARCELS OF REAL PROPERTY LOCATED AT 1100 OLD DIXIE HIGHWAY, LAKE PARK, FLORIDA, AND IDENTIFIED BY THE FOLLOWING PALM BEACH COUNTY FOLIO NOS. 36-43-42-20-31-000-0010, 36-43-42-20-31-000-0020, 36-43-42-20-31-000-0030, 36-43-42-20-31-000-0040, 36-43-42-20-31-000-0050, 36-43-42-20-31-002-0000, AND 36-43-42-20-31-001-0000 AS A COMMERCE PARK GREEN REUSE AREA FOR REHABILITATION PURSUANT TO SECTION 376.80, FLORIDA STATUTES; AUTHORIZING AND DIRECTING THE TOWN CLERK TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF THE COMMISSION ADOPTION OF THIS DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 376.77 through 376.86, Florida Statutes, establishes general procedures to be applied to an area proposed for brownfield designation; and

WHEREAS, pursuant to § 376.380 the Town Commission hereby notifies the Department of Environmental Protection of its adoption of this resolution designating that certain specified area as shown in the map attached hereto and incorporated herein as Exhibit "A" as a brownfield area for the purposes of promoting environmental rehabilitation, job creation, and economic redevelopment; and

WHEREAS, Seacoast National Bank ("Seacoast") is the owner of the parcels of property located at 1100 Old Dixie Highway, Lake Park, FL 33403, and identified by the following Palm Beach County Folio Nos. 36-43-42-20-31-000-0010, 36-43-42-20-31-000-0020, 36-43-42-20-31-000-0030, 36-43-42-20-31-000-0040, 36-43-42-20-31-000-0050, 36-43-42-20-31-002-0000, and 36-43-42-20-31-001-0000 (hereinafter the "Subject Property") as depicted in the Exhibit "A" map and more particularly described in Exhibit "B" (both Exhibits being attached hereto and incorporated); and

WHEREAS, it is the intention of the Town Commission to enable the owner of the Subject Property, Seacoast National Bank to utilize the regulatory, financial, and other benefits associated with Florida's Brownfields Redevelopment Program by designating the Subject Property a "Green Reuse Area" pursuant to Section 376.80(2)(b), Florida Statutes; and

WHEREAS, the Subject Property is located within the Lake Park Community Redevelopment Area, which was created by the Town in Resolution No. 14, dated April 3, 1996; and

WHEREAS, the Commission has reviewed the relevant procedures that apply effectuating this designation, as specified in Section 376.80, Florida Statutes, and find the Town in compliance with the statutory requirements; and

WHEREAS, proper notice of the designation of the proposed Green Reuse Area has been provided in accordance with Section 376.80(1)(c) and Section 166.041(3)(c)2, Florida Statutes; and

WHEREAS, the Commission conducted a public hearing to consider the designation, following which the Commission determined that the Green Reuse Area designation of the Subject Property is in the best interest of the Town, its residents and businesses, the owner of the Subject Property and is generally advantageous to the public health, safety and welfare; and

WHEREAS, the Commission hereby adopts this resolution and pursuant to its delivery to the Florida Department of Environmental Protection it hereby designates the Subject Property as the “Commerce Park Green Reuse Area” to further the Subject Property’s rehabilitation and redevelopment for the purposes enunciated under Sections 376.77 through 376.86, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct, and are incorporated herein.

Section 2. Adoption of Representations. The Commission finds that the area proposed for designation as a Brownfield area meets the designation criteria of Section 376.80 (2) (b), Florida Statutes.

Section 3. Subject Property Designation. The Commission hereby designates the area depicted on the Exhibit “A” map and legally described on Exhibit “B,” both of which are attached hereto and incorporated herein as the Commerce Park Green Reuse Area consistent with the purposes of Sections 376.77 through 376.86, Florida Statutes.

Section 4. Directions to the Town Clerk. The Commission hereby authorizes and directs the Town Clerk to notify the Florida Department of Environmental Protection of the Commission’s designation of the Subject Property as the “Commerce Park Green Reuse Area” consistent with

the purposes of Sections 376.77 through 376.86, Florida Statutes by delivering a fully executed copy of this Resolution to the Department.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption of its second public hearing.

The foregoing Resolution was offered by Commissioner Flaherty who moved its approval. The motion was seconded by Vice-Mayor Glas-Castro and upon being put to a roll call vote, the vote was as follows on 11/16/16 (date of first public hearing):


	AYE	NAY
MAYOR JAMES DUBOIS	<u>✓</u>	___
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>✓</u>	___
COMMISSIONER ERIN FLAHERTY	<u>✓</u>	___
COMMISSIONER ANNE LYNCH	<u>✓</u>	___
COMMISSIONER MICHAEL O'ROURKE	<u>Absent</u>	___

The foregoing Resolution was offered by Commissioner O'Rourke, who moved its adoption. The motion was seconded by Commissioner Lynch and upon being put to a roll call vote, the vote was as follows on 12/7/16 (date of second public hearing):

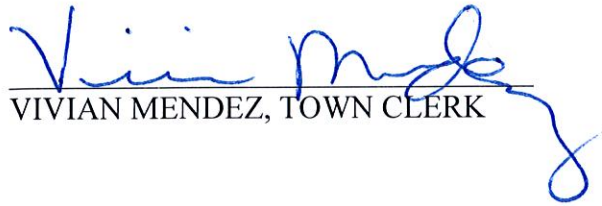
	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	___
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	___
COMMISSIONER ERIN FLAHERTY	<u>/</u>	___
COMMISSIONER ANNE LYNCH	<u>/</u>	___
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 52-11-16 duly passed and adopted this 7 day of December, 2016.

TOWN OF LAKE PARK, FLORIDA

BY: 
JAMES DUBOIS, MAYOR

ATTEST:


VIVIAN MENDEZ, TOWN CLERK



Approved as to form and legal sufficiency:


BY: 
THOMAS J. BAIRD, TOWN
ATTORNEY

Exhibit "A"

Location Map

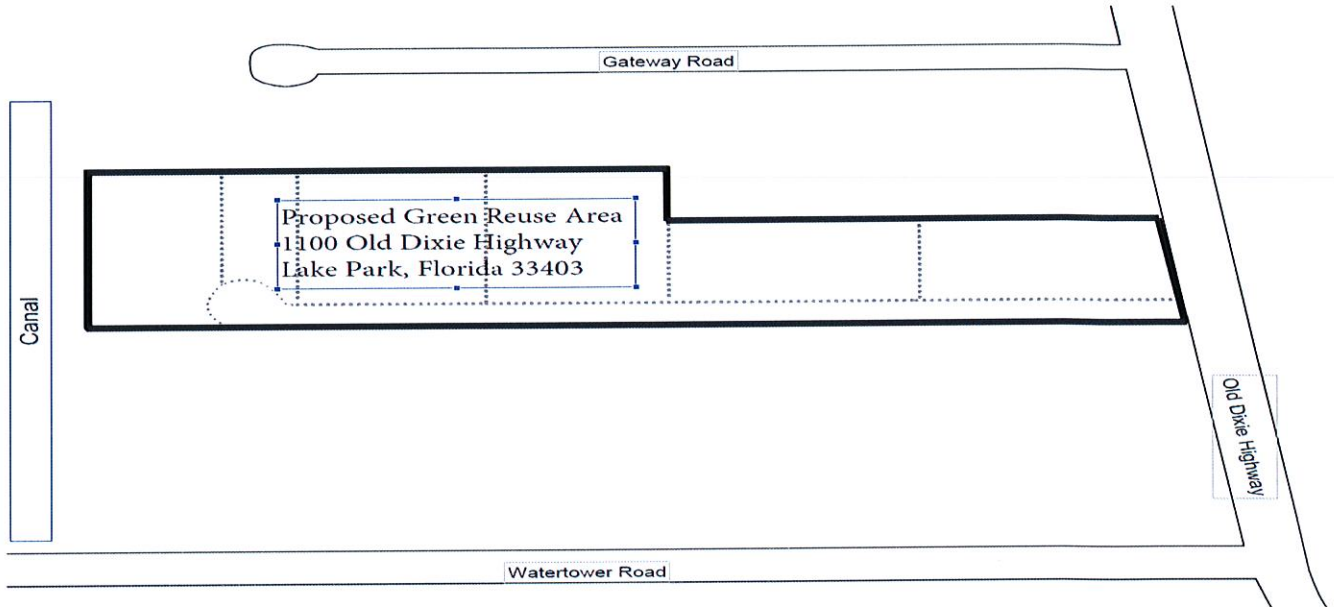


Exhibit "B"

Legal Descriptions

36-43-42-20-31-000-0010

1100 COMMERCE PARK LT 1

36-43-42-20-31-000-0020

1100 COMMERCE PARK LT 2

36-43-42-20-31-000-0030

1100 COMMERCE PARK LT 3

36-43-42-20-31-000-0040

1100 COMMERCE PARK LT 4

36-43-42-20-31-000-0050

1100 COMMERCE PARK LT 5

36-43-42-20-31-002-0000

1100 COMMERCE PARK TR B K/A STORMWATER MGMT

36-43-42-20-31-001-0000

1100 COMMERCE PARK TR A K/A PRIVATE ST