

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, FINDING THAT THE CITY'S CONVEYANCE OF RIGHT-OF-WAY ALONG A PORTION OF NE 51ST STREET TO BROWARD COUNTY SATISFIES THE CRITERIA OF SECTION 253 OF THE CITY'S CHARTER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pompano Beach owns a 70' wide by 200' long portion of right-of-way along NE 51st Street adjacent to Broward County's Water and Wastewater Services Plant located at 1390 NE 50th Street; and

WHEREAS, Broward County has requested the City of Pompano Beach convey the foregoing right-of-way along NE 51st Street to the County to enhance the security and safety of its Water and Wastewater Services Plant and nearby City residents; and

WHEREAS, Section 253 of the City's Charter provides the City may sell or transfer any of its property to another governmental agency if the four specific criteria as set forth below are satisfied; and

WHEREAS, the City Commission finds that the proposed transfer to Broward County provides a benefit to the City of Pompano Beach insofar as the Water and Wastewater Services Plant provides freshwater to the City's residents in the area; and

WHEREAS, the City Commission finds that a transfer to any other party than Broward County would not provide the same benefit to the people of Pompano Beach because only the County's Water and Wastewater Services Plant provides freshwater to the City's residents in that area; and

WHEREAS, the City Commission finds the in-kind compensation to be received by the City of Pompano Beach in exchange for the subject conveyance is fair and equitable because the County's Water and Wastewater Services Plant provides freshwater to the City's residents in that area, the property being transferred is too small to be utilized by another other party for development or any cognizable use and it will eliminate potential liability and maintenance costs associated with this currently unused property; and

WHEREAS, the City Commission finds Broward County has the power of eminent domain over the subject property; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF POMPAÑO BEACH, FLORIDA:

SECTION 1. That a Quit Claim Deed by the City of Pompano Beach to Broward County, a copy of which Quit Claim Deed is attached hereto and incorporated herein by reference as if set forth in full, is hereby approved.

SECTION 2. That the proper City officials are hereby authorized to execute said Quit Claim Deed by the City of Pompano Beach.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2018.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

1/5/18
l:reso/2018-68