

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2015-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING AND AUTHORIZING THE PURCHASE OF REAL PROPERTY FROM PALM BEACH COUNTY, AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00), SUBJECT TO COMPLETION BY THE TOWN OF CERTAIN DUE DILIGENCE, AND TO DEED RESTRICTIONS ON THE USE OF THE PROPERTY, FUTURE SALE, AND RESERVATION OF CERTAIN MINERAL RIGHTS BY THE COUNTY; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO TAKE ALL ACTIONS NECESSARY TO CLOSE THE TRANSACTION; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Loxahatchee Groves and the Palms West Chamber of Commerce have negotiated an Agreement for the Purchase and Sale of Office Building, for the office building currently owned by the Palms West Chamber of Commerce ("Chamber Building"), located at 13901 Southern Boulevard, Loxahatchee Groves, Florida, on real property owned by Palm Beach County; and,

WHEREAS, at its February 3, 2015 meeting, the Board of County Commissioners for Palm Beach County authorized the sale of the real property owned by Palm Beach County on which the Chamber Building is located, as described in Exhibit "A" hereto, for a purchase price of Twenty Thousand Dollars (\$20,000.00), and subject to restrictions: the property will be used by the Town solely for public purposes, and will not be conveyed to a private individual or non-governmental entity without the County's prior written consent; and the County is reserving a

share of mineral rights on the property, as set forth in the form of County Deed attached hereto as Exhibit "B;" and,

WHEREAS, the Town Council finds it is in the best interest of the Town of Loxahatchee Groves to approve and authorize the purchase of the real property from Palm Beach County as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. Subject to completion of due diligence actions pursuant to Section 3 below, the Town Council of the Town of Loxahatchee Groves approves and authorizes the purchase of the real property on which the Chamber Building is located, as described in Exhibit "A" hereto, for a purchase price of Twenty Thousand Dollars (\$20,000.00), and subject to restrictions: the property will be used by the Town solely for public purposes, and will not be conveyed by the Town to a private individual or non-governmental entity without the County's prior written consent; and the County is reserving a share of mineral rights on the property, as set forth in the form of County Deed attached hereto as Exhibit "B."

Section 3. The appropriate Town Officials are authorized to complete due diligence on the real property, including completion of environmental inspections, a survey and review of title work for the property. Upon confirmation by the Town Manager and the Town Attorney that the due diligence has been completed and no issues are present, the appropriate Town Officials are authorized to take all actions necessary to close the transaction and accept title of the real property from Palm Beach County, including payment of the purchase price of

\$20,000.00, and accepting the final, fully executed County Deed, substantially in the form as attached hereto as Exhibit "B," on behalf of the Town.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 6. This Resolution shall become effective immediately upon its passage and adoption.

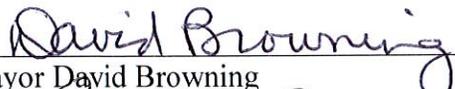
ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 17TH DAY OF FEBRUARY, 2015.

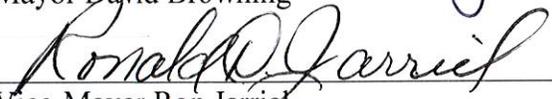


TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

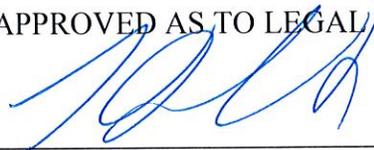

Janet Whipple, Town Clerk

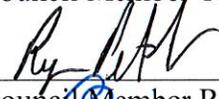

Mayor David Browning


Vice-Mayor Ron Jarriel


Council Member Tom Goltzené

APPROVED AS TO LEGAL FORM:


Office of the Town Attorney


Council Member Ryan Liang

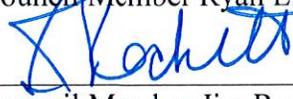

Council Member Jim Rockett

EXHIBIT "A"
LEGAL DESCRIPTION

EXHIBIT "A"

THE PREMISES/LEGAL DESCRIPTION

Part of Tract 6, Block K, Loxahatchee. Groves, as recorded in Plat Book 12, Page 29, Public Records of Palm Beach County, Florida, more particularly described as follows: Beginning at a point on the east line of aforesaid Tract 6 at its intersection with the North right of way line of State Road 80 as shown on Sheet No, 28 of Florida Department of Transportation Project No. 93120-3538; thence south $42^{\circ}00'46''$ West (this and the next 2 courses being along the north right of way line of State Road 80), a distance of 50,06 feet to a point of curvature of a curve to the left having a central angle of $35^{\circ}25'14''$, and a radius of 263.50 feet, said point being north $02^{\circ}16'50''$ East from the centerpoint of said curve; thence southwesterly along the arc of said curve, a distance of 162.90 feet to a point of reverse curvature of a curve to the right having a central angle of $07^{\circ}47'03''$ and a radius of 218.50 feet. Said point of reverse curvature being South $33^{\circ}08'24''$ East from the centerpoint of said reverse curve, thence westerly along the arc of said curve, a distance of 29.69 feet; thence North $02^{\circ}16'50''$ East parallel to said East line of Tract 6, a distance of 322.70 feet; thence South $87^{\circ}43'10''$ East, a distance of 210.00 feet to the East line of said Tract 6, thence South $02^{\circ}16'50''$ West along said East line of Tract 6, a distance of 220.00 feet to the point of beginning.

Containing 1.32 acres, more or less.

EXHIBIT "B"
FORM OF COUNTY DEED

PREPARED BY AND RETURN TO:
ROSS HERING
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: _____
Closing Date: _____
Purchase Price: _____

COUNTY DEED

This COUNTY DEED, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791, ("County"), and the **TOWN OF LOXAHATCHEE GROVES**, a municipal corporation of the State of Florida ("Town") whose legal mailing address is 14579 Southern Blvd., Ste. 2, Loxahatchee Groves, Florida "Town".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) to it in hand paid by Town, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Town, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

See **Exhibit "A"** attached hereto and made a part hereof (the "Property").

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include, and County hereby expressly releases, any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

This County Deed is granted on the express condition that the Property shall be used by Town solely for proper public purposes and shall not be sold, transferred or conveyed to a private individual or non-governmental entity without County's prior written consent.

IN WITNESS WHEREOF, County 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.

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
Shelley Vana, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

G:\PREM\Dianne\Town of Loxahatchee Groves\Deed

Exhibit "A"