

**ORDINANCE NO. 2019-011**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, RATIFYING THE OPTION PURCHASE AGREEMENT SIGNED BY THE CITY MANAGER AND APPROVING THE PURCHASE OF REAL PROPERTY PURSUANT TO THE ATTACHED OPTION PURCHASE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK, AS PURCHASER, AND 4651 W HILLSBORO, LLC, AS SELLER, FOR REAL PROPERTY DESCRIBED AS TRACT A-1 BUFFER TOGETHER WITH TRACT "A," ACCORDING TO THE PLAT OF "JANIS PLAT," AS RECORDED IN PLAT BOOK 174 AT PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTH 260 FEET OF SAID TRACT "A;" PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, during the City Commission meeting held on May 9, 2019, the City Commission gave direction to the City Manager, or her designee, to perform fact-finding, obtain necessary appraisals, and negotiate with 4651 W HILLSBORO, LLC, the seller of certain property adjacent to Saw Palmetto Natural Area, located along West Hillsboro Boulevard in Coconut Creek, specifically, property identification number 4842 06 33 0010 (hereinafter "Property"); and

**WHEREAS**, on May 15, 2019, the City, through City Manager Mary C. Blasi, entered into an option purchase agreement to purchase the Property in the amount of three hundred and ninety-six thousand dollars (\$396,000.00), subject to final City Commission approval; and

**WHEREAS**, pursuant to Section 310 g. of the City's Charter, an ordinance is required to acquire real property by purchase; and

**WHEREAS**, the option purchase agreement, attached hereto and made a part hereof as Attachment "1," provides for inspection, including obtaining an environmental assessment and survey within sixty (60) days from the date of execution of the option purchase agreement; and

**WHEREAS**, the City Commission finds and determines that the purchase by the City of Coconut Creek of the Property, legally described as Tract A-1 buffer together with Tract “A,” according to the Plat of “JANIS PLAT,” as recorded in Plat Book 174 at Page 18 of the Public Records of Broward County, Florida, less and except the North 260 feet of said Tract “A,” said lands situate, lying and being in Broward County, Florida, as more particularly described in the option purchase agreement as Exhibit “A,” serves a municipal purpose, enhances the City’s goal of increasing recreational opportunities in the City, and furthers the City’s revitalization efforts along the western Hillsboro Boulevard Corridor.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:**

**Section 1: Ratification.** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance. Attachment “1” is the option purchase agreement that contains a legal description of the land to be purchased as Exhibit “A;” all are attached hereto, incorporated herein, and made a specific part of this ordinance.

**Section 2:** That the City Commission hereby finds and determines that purchasing the real property described in Exhibit “A” of Attachment “1” is in the best interests of the residents of the City of Coconut Creek; serves the interest of health, safety, and welfare of the residents; and serves a municipal purpose by conveying to the City of Coconut Creek land which may be used to expand recreational opportunities within the City and help revitalize the City’s Hillsboro Boulevard Corridor.

**Section 3:** That the City Commission hereby accepts, ratifies, and approves the option purchase agreement, and hereby exercises its option to purchase the real property identified as property identification number 4842 06 33 0010, legally described as Tract A-1 buffer together with Tract “A,” according to the Plat of “JANIS PLAT,” as recorded in Plat Book 174 at Page 18 of the Public Records of Broward County, Florida, less and except the North 260 feet of said Tract “A,” said lands situate, lying and being in Broward County, Florida.

**Section 4: Conflicts.** That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 5: Severability.** That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

**Section 6: Effective Date.** That this ordinance shall become effective upon its passage on second and final reading.

**PASSED FIRST READING THIS 27<sup>TH</sup> DAY OF JUNE, 2019.**

**PASSED SECOND READING THIS 11<sup>TH</sup> DAY OF JULY, 2019.**

\_\_\_\_\_  
Sandra L. Welch, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>
Welch	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>