

RESOLUTION NO. 2024-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER TO REQUEST THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO CONVEY SURPLUS PROPERTY TO THE CITY OF COCONUT CREEK (CITY) TO BE UTILIZED FOR THE PUBLIC PURPOSE OF PROVIDING ADEQUATE DRAINAGE, UTILITIES, AND ROAD RIGHT-OF-WAY, SAID PROPERTY GENERALLY IDENTIFIED AS A PORTION OF THE CULLUM ROAD RIGHT-OF-WAY EAST OF STATE ROAD 7 WITHIN THE MAINSTREET PROJECT AREA AS LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the FDOT acquires properties for transportation facilities for the citizens of the State of Florida; and

WHEREAS, the FDOT is permitted by law to convey real property that FDOT no longer needs and determines to be surplus to other public entities to further the public needs of the State of Florida; and

WHEREAS, the City can utilize FDOT's surplus property, described in the attached Exhibit "A," for existing and proposed drainage and roadway improvement projects in connection with the development of infrastructure in the MainStreet Project Area; and

WHEREAS, it is in the best interest of the citizens of the State of Florida to gain the most benefit from property acquired with public funds; and

WHEREAS, the City is requesting, in connection with the development of the Mainstreet Project Area, that FDOT convey to the City the surplus property described in the attached Exhibit "A;" and

WHEREAS, the surplus property is sought for the development of public infrastructure within the Mainstreet Project Area and is proposed to be conveyed to the City for the public purpose of providing necessary drainage, utilities, and roadway facilities

pursuant to the City's Mainstreet Project Area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

Section 2: That the City Commission requests the Florida Department of Transportation (FDOT) to convey title to the surplus property described in the attached Exhibit "A" to the City pursuant to Section 337.25(4)(b), Florida Statutes.

Section 3: That the surplus property to be conveyed to the City by FDOT will be used for the public purpose of providing necessary infrastructure including drainage, utilities and road right-of-way, which will be in the best interests of the general public of the City of Coconut Creek.

Section 4: That upon adoption of this resolution, the City shall forward an executed copy of this resolution to the Florida Department of Transportation, 3400 W. Commercial Boulevard, Ft. Lauderdale, Florida 33309-3421, for further handling.

Section 5: That 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 in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 6: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this _____ day of _____, 2024.

Sandra L. Welch, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Welch _____
Railey _____
Rydell _____
Brodie _____
Wasserman _____

Exhibit "A"

Parcel 136 Legal Description

PARCEL NO. 136

The North 20 feet of Tract 43 in Block 89 of Palm Beach Farms according to the plat as recorded in Plat Book 2 at Page 54 of the Public Records of Palm Beach County, Florida in Section 18, Township 48 South, Range 42 East.