

RESOLUTION 2001-18

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AUTHORIZING THE TOWN ADMINISTRATOR TO TENDER AN OFFER TO DANIEL DOWNEY AND NOREEN DOWNEY FOR THE PURCHASE OF ±40 ACRES OF UNIMPROVED PROPERTY SITUATED WITHIN THE TOWN OF SOUTHWEST RANCHES SUBJECT TO APPROVAL OF THE TOWN COUNCIL AND OTHER CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there is situated in the Town of Southwest Ranches a parcel of unimproved land, consisting of ±40 acres, owned by Daniel Downey and Noreen Downey as is more particularly described in the attached Exhibit "A"; and

WHEREAS, there is a shortage within the Town of parcels of land of sufficient size to accommodate potential parks, open space, recreation, and a site for a permanent Town Hall; and

WHEREAS, the possible availability of Challenge Grant funds and other resources warrants further inquiry into the feasibility of the Town owning said property.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1: Recitals: The above recitals are true and correct and are incorporated herein by reference.

Section 2: The Town Administrator is authorized to negotiate for the purchase of the ±40 acres owned by Daniel and Noreen Downey, as is more specifically described in Exhibit "A", attached hereto, subject to the following conditions:

(a) Approval of Property. Public Notice and Hearing and approval by the Town Council Resolution of an Agreement for Purchase and Sale in a form acceptable to Town Council and Staff.

(b) Title. Good and insurable.

(c) MAI Appraisal. Appraisal by a licensed appraiser indicating that the market value of the property is equal to or greater than the Purchase Price.

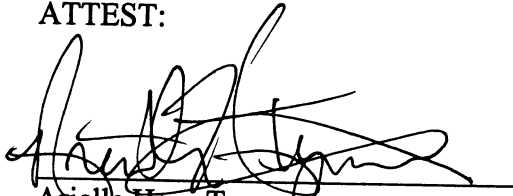
(d) Environmental and other Reports. All environmental reports and other reports performed during the Investigation Period revealing that the property is free and clear of all hazardous or toxic materials or wastes; that the land has adequate permeability, that there are no chasms beneath the property, that the property has never been used as a land fill and that nothing exists which would prohibit the Buyer from its intended use of the property.

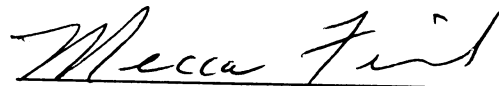
(e) Other Terms and Conditions. Such other terms and conditions deemed appropriate and necessary by staff and the Town Attorney.

Section 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 11TH day of January, 2001.

ATTEST:


Arielle Haze Tyner
Town Clerk


Mecca Fink, Mayor

Approved as to Form and Correctness:


Gary A. Poliakoff, J.D., Town Attorney

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