

RESOLUTION NO. 2001-34

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO PLACE MONIES IN ESCROW TO SECURE THE POTENTIAL PURCHASE BY THE TOWN OF SOUTHWEST RANCHES OF LAND DEEMED TO BE APPROPRIATE FOR USE IN SATISFYING THE RECREATION AND OPEN SPACE REQUIREMENT OF THE FLORIDA LOCAL GOVERNMENTAL COMPREHENSIVE PLANNING AND LAND DEVELOPMENT ACT; AND OTHER PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida's Local Government Comprehensive Planning and Land Development Regulation Act ("Act"), Chapter 163, Florida Statutes, requires that each local comprehensive plan contain a number of elements, including recreation and open spaces; and

WHEREAS, the long-term viability of the Town of Southwest Ranches ("Town") and its citizens are dependent upon the Town satisfying the requirements of the Act; and

WHEREAS, there is a shortage within the Town of vacant land, suitable in size and location, for parks, recreation and open spaces.

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

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

Section 2: Authorizations. The Town Council of the Town of Southwest Ranches does hereby authorize the Town Administrator to identify parcels of vacant land within the Town, which in the Town Administrator's opinion, will satisfy the long-term needs of the Town insofar as meeting the criteria of the Act and the needs of the Town and, if such parcel of land is identified, to place into escrow monies up to a maximum of ten percent (10%) of the offered purchase price in order to secure the land for the Town Council's consideration.

Section 3: Conditions of Purchase. Should the Town Administrator identify a parcel(s) of land which he feels meets the criteria of this Resolution, he is authorized to enter into an Agreement to Purchase the land 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.

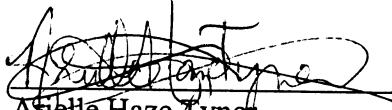
(d) Environmental and other Reports. All environmental reports and other reports performed during the Investigation Period revealing that the property is free and clear of all hazardous or toxic materials or wastes; that the land has adequate permeability, that there are no chasms beneath the property, 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.

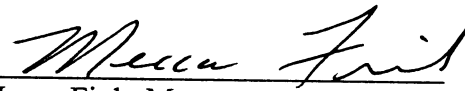
(e) Other Terms and Conditions. Such other terms and conditions deemed appropriate and necessary by staff and the Town Attorney.

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

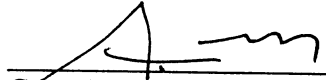
PASSED AND ADOPTED this 8<sup>th</sup> day of February, 2001.

ATTEST:

  
Arielle Haze Tyner  
Town Clerk

  
Mecca Fink, Mayor

Approved as to Form and Correctness:

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