

RESOLUTION 2004 - 115

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE PURCHASE OF THE COUNTRY ESTATES OPEN SPACE AND FISHING HOLE SITE, WHICH IS AN APPROXIMATELY 16.41 ACRE SITE GENERALLY LOCATED AT THE SOUTHEAST CORNER OF GRIFFIN AND 190th AVENUE (THE "PROPERTY"); APPROVING A PURCHASE AND SALE AGREEMENT FOR AN AMOUNT NOT TO EXCEED \$2,100,000, IN SUBSTANTIALLY THE SAME FORM AS ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE AGREEMENT; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; DIRECTING THE TOWN ADMINISTRATOR AND TOWN GRANT WRITER TO SEEK ADDITIONAL SOURCES OF REVENUE FOR THE ACQUISITION OF THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Country Estates Open Space and Fishing Hole Site is a 16.41 acre site generally located at the southeast corner of Griffin Road and 190th Avenue; and

WHEREAS, on June 5, 2003, the Town successfully obtained a Broward County grant award in the amount of \$750,000 for the purchase of the Country Estates Open Space and Fishing Hole Site; and

WHEREAS, on October 4, 2003, the Florida Community Trust (FCT) awarded the Town an additional grant in the amount of \$808,000 for the purchase of the Property; and

WHEREAS, Town staff has prepared all of the documentation required by the granting agencies including numerous drafts of the management plan, deemed acceptable by both granting agencies, as well as other follow up documents essential to complete the award process; and

WHEREAS, On December 1, 2003, the Town Council approved an agreement with the Florida Local Government Finance Commission for their Pooled Commercial Paper Loan Program in the amount of \$12,800,000, which was acquired to provide the bridge fund necessary to acquire approved sites that have been awarded grant funds from the County and the Florida Community Trust (FCT); and

WHEREAS, on May 13, 2004, the Town Council approved Resolution 2004-76, which approved the Interlocal Agreement with the County for reimbursement of the grant proceeds, Resolution 2004-77, which directed that the project be included in the Town's Five (5) year capital improvement program, and Resolution 2004-78, which approved the County and FCT management plan for the project; and

WHEREAS, in furtherance of the grant application requirements, the owners of the Country Estates Open Space & Fishing Hole have previously entered into a willing seller letter to sell the Property to the Town; and

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

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

Section 2. The Town Council hereby authorizes the acquisition of the Country Estates Open Space and Fishing Hole Site.

Section 3. The Town Council hereby approves the Purchase and Sale Agreement, in substantially the same form as attached hereto as Exhibit "A", to purchase the Property for an amount not to exceed \$2,100,000.

Section 4. The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to enter into an agreement in substantially the same form as that attached hereto as Exhibit "A" and to make such modifications, additions and or deletions which they deem necessary and proper to effectuate the intent of this Resolution.

Section 5. The Town Council authorizes the appropriate Town officials to execute any and all documents necessary to effectuate the intent of this Resolution.

Section 6. The Town Administrator and the Town Grant Writer are hereby directed to seek additional sources of revenue to negate the Town's contribution for the acquisition of the Property.

Section 7. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 9th day of September 2004, on a motion by Council Member Maines and seconded by Vice Mayor Knight.

Fink Y

Knight Y

Blanton Y

Maines Y

Nelson Y

Ayes 5

Nays 0

Absent or

Abstaining 0

ATTEST:

Shari Canada
Shari Canada, Town Clerk

Mecca Fink
Mecca Fink, Mayor

Approved as to Form and Correctness:

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