

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A DEED WITH PALM BEACH COUNTY TO DONATE A 125 SQUARE FOOT PORTION OF THE NORTH SIDE OF LOT 124 OF MOLPHUS HEIGHTS PLAT 1, RECORDED IN PLAT BOOK 9, PAGE 58 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR THE PURPOSE OF PROPOSED ROADWAY IMPROVEMENTS BY PALM BEACH COUNTY, AND ACCEPTANCE OF OWNERSHIP OF WEST 37<sup>TH</sup> COURT AND ALLOCATION OF FUTURE FUNDING FOR THE OPERATION AND MAINTENANCE OF THE NEW LOCAL STREET; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Palm Beach County (PBC) acquires properties for transportation facilities for the citizens of the State of Florida; and

**WHEREAS**, PBC proposes to construct or improve Silver Beach Road in order to improve the traffic flow along with a new access road to be known and addressed as West 37<sup>th</sup> Court; and

**WHEREAS**, the City of Riviera Beach owns Lot 124 on Silver Beach Road; and

**WHEREAS**, the necessary roadway improvements will not negatively impact the remaining Lot 124 property; and

**WHEREAS**, the City hereby confirms that the section of the referenced portion of the Lot 124 is surplus property and the land is not needed for City purposes; and

**WHEREAS**, PBC has made application to the City to execute and deliver to the PBC a deed in favor of PBC, conveying all rights, title and interest that the City has in and to the referenced portion of Lot 124 that's required to support the proposed PBC roadway improvements; and

**WHEREAS**, PBC can utilize the City's surplus property described on the attached Exhibit "A" for said public purpose use(s); and

**WHEREAS**, PBC is requesting that the City convey to the PBC the surplus property described on the attached Exhibit "A" (see below) and by the following legal description:

Parcel No. 116 Item/Project No. 2003514

A parcel of land for Road Right-of-Way purposes in Section 29, Township 42,

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Range 43 East, Palm Beach County, Florida more particularly described as follows:

The north 5.00 feet of Lot 124, Molphus Heights Plat 1, Recorded in Plat Book 9, Page 58 of the public records of Palm Beach County, Florida

Containing 125 square feet, more or less.

**WHEREAS**, the City's referenced parcel is on PCN: 56-43-42-29-12-000-1240 and contains 125 square feet, more or less; and

**WHEREAS**, the City and PBC agreed to convey the referenced portion of PCN: 56-43-42-29-12-000-1240 (Lot 124) for and in consideration of the sum of \$1.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The City Council hereby finds that the foregoing recitals are true, correct and incorporated into this Resolution by this reference.

**SECTION 2.** PBC requests the City to convey title to the surplus property described on the attached Exhibit "A" to PBC.

**SECTION 3.** The City Council hereby authorizes the Mayor and City Clerk to execute the Property Deed attached hereto and made a part of this Resolution as Exhibit "A"; and accept ownership of West 37<sup>th</sup> Court and allocation of future funding for the operation and maintenance of the new local street.

**SECTION 4.** The City Council hereby authorizes the City Clerk to forward an executed copy of this Resolution and corresponding Exhibits to Palm Beach County, P.O. Box 21229, West Palm Beach, Florida 33416-1229, for further handling.

**SECTION 5.** Should any one or more of the provisions or element of this Resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of this resolution.

**SECTION 6.** This Resolution shall take effect immediately upon approval.

**PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018**

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APPROVED:

\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

\_\_\_\_\_  
TONYA DAVIS JOHNSON  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CLAUDENE L. ANTHONY  
CERTIFIED MUNICIPAL CLERK  
CITY CLERK

\_\_\_\_\_  
LYNNE L. HUBBARD  
CHAIR PRO TEM

\_\_\_\_\_  
KASHAMBA L. MILLER-ANDERSON  
COUNCILPERSON

\_\_\_\_\_  
JULIA A. BOTEL  
COUNCILPERSON

\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

L. HUBBARD \_\_\_\_\_

K. MILLER-ANDERSON \_\_\_\_\_

T. DAVIS JOHNSON \_\_\_\_\_

J. BOTEL \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

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ANDREW DEGRAFFENREIDT, CITY ATTORNEY

DATE: \_\_\_\_\_