

RESOLUTION NO. 03-109

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; APPROVING THE ACQUISITION OF THE CELESTIA DE LAMOUR PROPERTY, FOLIO NO. 33-5035-000-0012; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A REAL ESTATE CONTRACT WITH THE MIAMI-DADE COUNTY POLICE DEPARTMENT ON BEHALF OF THE VILLAGE OF PALMETTO BAY FOR A SALE AMOUNT NOT TO EXCEED \$300,000, PLUS CUSTOMARY CLOSING COSTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the residents of Palmetto Bay have expressed a strong desire to establish a bayfront passive park within the Village, and,

WHEREAS, real property in the Village, particularly bayfront property, has become increasingly valuable and limited, and,

WHEREAS, the Miami-Dade County Police Department has seized the Celestia De Lamour property as an instrumentality used in committing environmental crimes, and has offered the valuable bayfront land to the Village for \$300,000, and,

WHEREAS, the Miami-Dade County Police Department is authorized, pursuant to section 932.7055(1)(c), Fla. Stat., to transfer title to the property to the Village of Palmetto Bay; and,

WHEREAS, the Village must approve the acquisition of said property before the end of the year.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

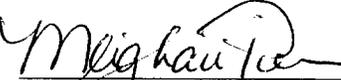
Section 1. The acquisition of the Celestia De Lamour Property, Folio No. 33-5035-000-0012, is hereby approved.

Section 2. The Village Attorney is authorized to intervene on behalf of the Village in the pending forfeiture proceeding in the circuit court to assert the Village's interest in the property; to retain a real property attorney to assist with the transfer of title, and to take other necessary actions on the Village's behalf.

Section 3. The Village Manager is authorized to execute a Real Estate Contract with the Miami-Dade Police Department on behalf of the Village for a sale amount not to exceed \$300,000, plus customary closing costs.

Section 4. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 1<sup>st</sup> day of December, 2003.

Attest:   
Meighan Pier  
Village Clerk

  
Eugene P. Flinn, Jr.  
Mayor

APPROVED AS TO FORM:

  
Earl G. Gallop,  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>AYE</u>
Council Member Paul Neidhart	<u>AYE</u>
Council Member John Breder	<u>AYE</u>
Vice-Mayor Linda Robinson	<u>AYE</u>
Mayor Eugene P. Flinn, Jr.	<u>AYE</u>

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