

FPRA RESOLUTION NO. 17-01

A RESOLUTION OF THE FORT PIERCE REDEVELOPMENT AGENCY A DEPENDENT SPECIAL DISTRICT OF THE CITY OF FORT PIERCE, FLORIDA; APPROVING A SALES CONTRACT AND CONVEYANCE BY SPECIAL WARRANTY DEED OF **1401 N 2ND STREET** [TAX ID#2403-242-0002-000/1]; ACQUIRED BY THE FORT PIERCE REDEVELOPMENT AGENCY AND OFFERED AS SURPLUS REDEVELOPMENT PROPERTY; PROVIDING FOR THE APPROVAL OF THE FORT PIERCE CITY COMMISSION IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.380; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Fort Pierce Redevelopment Agency (the "Agency"), created by Ordinance H-239, is a dependent special district according to the statutory definition of Section 189.403(2), Florida Statutes; and

WHEREAS, the Agency has actively pursued the removal of blighted conditions in the City of Fort Pierce by providing opportunities for the redevelopment of blighted area for the benefit of the residents of the City as provided in Part II, Section A of the Fort Pierce Redevelopment Agency's Community Redevelopment Plan ("Plan"); and

WHEREAS, the Agency owns certain property acquired on September 21, 2006 by Deed recorded at OR Book 2718 Pages 318-319, public records of St. Lucie County and identified as 1401 N 2nd Street, and as more particularly described below (the "Subject Property"); and

WHEREAS, pursuant to Florida Statutes Section 163.380, and in furtherance of the initiation of the redevelopment of the Subject Property, which is consistent with the Plan, the Agency would like to dispose of the Subject Property owned by the Agency within the Redevelopment Area;

WHEREAS, the Agency, on April 27, 2016 and May 4, 2016 provided public notice that the Subject Property had been declared surplus; and

WHEREAS, the Agency at its meeting on January 3, 2017, received a proposal from Lotus Asset Management, LLC to redevelop the Subject Property for use as a cosmetics manufacturing business which it will relocate from New Jersey, and operate the business as a sister facility to a manufacturing facility it owns in Lake Worth, Florida; and

WHEREAS, the Agency, on Monday, January 9, 2017, gave public notice pursuant to Florida Statutes Section 163.380(3)(a), of its intent to dispose of the Subject Property by publishing in a newspaper having a general circulation in the community, at least 30 days prior to the execution of any contract to sell, lease, or otherwise transfer real property and, prior to the delivery of any instrument of conveyance with respect thereto, and invited proposals from, and made all pertinent information available to, private redevelopers or any persons interested in undertaking to redevelop or rehabilitate a community redevelopment area of any part thereof; and

WHEREAS, the Agency, subsequent to the 30 day Notice period, has considered all proposals submitted and the financial and legal ability of the persons making such proposals to carry them out; and

WHEREAS, the Agency has determined that the proposal submitted by Lotus Asset Management, LLC, which identifies the redevelopment of the Subject Property as a cosmetics manufacturing facility, is in the public interest and in furtherance of Florida Statutes, Part III of Chapter 163; and

WHEREAS, Section 163.380(2), Florida Statutes, provides that if the value of such real property being disposed of by the Agency is for less than the fair value, such disposition requires the approval of the local governing body at a public hearing; and

WHEREAS, the Agency is proposing to dispose of the Subject Property for less than fair value; therefore, approval of the local governing body at a public hearing is required pursuant to Section 163.380(2), Florida Statutes.

NOW THEREFORE LET IT BE RESOLVED BY THE FORT PIERCE REDEVELOPMENT AGENCY, AS FOLLOWS:

A) That the Agency authorizes the sale, transfer and conveyance, by Special Warranty Deed, the herein described Subject Property according to the terms and conditions of the sales contract, and that the Chair, the FPRA Director, and the Agency Attorney shall further be authorized to do all acts and things required of them by this Resolution or desirable or consistent with the requirements hereof for the full, punctual and complete performance of all of the terms which shall be required to effectuate the sale, transfer, and conveyance of the herein described subject property, to wit:

1401 N 2nd Street; described as follows:

THAT PART OF GOVT LOT 2 LYG S OF FT PIERCE DRY DOCK AND TERMINAL CO PROP, E OF FEC RR MAIN LI R/W W OF N 2 ST AND N OF RINKER MATERIALS CORP PROP-LESS SPUR TRACK 92- BEING MPD IN OR 169-1046 LESS THAT PART IN OR 3678-223 MPDAF: 3 35 40 COMM AT INT OF W R/W LIN 2ND ST AND N LI OF LANDS CONVEYED TO RINKER INC AS IN OR 170-562 PROCEED ALG W R/W LIN 2ND ST N 08 43 11 W 594.36 FT TO POB; TH S 80 33 17 W 271.19 FT TO APT ONE RJW LI FEC RW; TH ALG SD R/W LITH FOWLLING 4 COURSES: N 08 43 11 W 106.67 FT TO PT OF CUR TO LFT RAD 2,914.93 FT CHORD BRG N 09 10 51 W 46.91 FT; TH ALG SD CUR ARC OF 46.91 FT TO PT; TH N 89 59 41 W 25.10 FT TO PT OF NON-TGT CUR TO LFT RAD OF 2,889.93 FT W ANG OF 01 49 59, CHD BRG N 10 41 41 W 92.45 FT; TH ALG SD CUR ARC DIST OF 92.45 FT TO SW COR OF LANDS MPDIN ORB 1840-37; TH ALG S LIN 78 20 19 E 299.94 FT TO APT ON W RJW LIN 2ND ST; TH ALG R/W LI S 08 43 11 E 261.74 FT TO POB. (3.46 AC- 150,715 SF) (OR 2718-318)

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for the purpose of removing blight and slum in the City in accordance with its Community Development Plan.

B) The value of the Subject Property authorized for disposal to Lotus Asset Management, LLC, is for less than the fair value; therefore, the approval of the local governing body at a public hearing is required pursuant to Section 163.380(2), Florida Statutes.

C) The disposal of the Subject Property will be presented to the Fort Pierce City Commission for approval.

D) This Resolution shall take effect upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 20th day of February, 2017.

Linda Hudson, Chair
Fort Pierce Redevelopment Agency

ATTEST:

Linda Cox, Agency Secretary

Approved as to Form:

James M. Messer
Agency Attorney