

RESOLUTION

A RESOLUTION OF THE SCHOOL BOARD OF ST. LUCIE COUNTY, FLORIDA, DECLARING CERTAIN REAL PROPERTY OF THE BOARD TO BE SURPLUS; DETERMINING TRANSFER OF THE REAL PROPERTY TO THE FORT PIERCE REDEVELOPMENT AGENCY TO BE IN THE BEST INTEREST OF THE DISTRICT AND THE PUBLIC; APPROVING AND ACCEPTING A PURCHASE AND SALE AGREEMENT WITH THE AGENCY; AUTHORIZING EXECUTION OF THE PURCHASE AND SALE AGREEMENT; APPROVING TRANSFER OF THE REAL PROPERTY TO THE AGENCY, SUBJECT TO CONDITIONS; AUTHORIZING AND DIRECTING THE BOARD CHAIRMAN, SUPERINTENDENT, OFFICERS, ATTORNEYS, AND OTHER AGENTS OF THE BOARD TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The School Board of St. Lucie County, Florida ("Board"), has made the following determinations:

A. In accordance with the provisions of Article IX, Section 4(b), of the Florida Constitution, this Board is responsible for the operation, control, and supervision of all free public schools within The School District of St. Lucie County, Florida ("District").

B. In order to operate, control, and supervise public schools in the District, this Board must make adequate provision for such "ancillary facilities," "educational facilities," "auxiliary facilities," and "educational plant," as those terms are defined in Section 1013.01, Florida Statutes, as are necessary and essential to accommodate students, faculty, administrators, staff, and activities of educational programs for the District, and to provide support services to those educational programs.

C. Section 1013.28(1)(a), Florida Statutes, authorizes the Board to dispose of any land or real property to which the Board holds title and that, by resolution of the Board, is determined to be unnecessary for educational purposes as recommended in an educational plant survey, provided that the Board takes diligent measures to dispose of such property only in the best interests of the public.

D. The Superintendent of Schools for the District ("Superintendent") has identified the Board-owned buildings and property known as Means Court Administrative Center ("Real Property"), located in the City of Fort Pierce, a municipal corporation of the State of Florida ("City"), and more particularly described in the attached proposed Exhibit I, as no longer necessary, used, useful, or appropriate for the location and operation by the Board of ancillary facilities, educational facilities, auxiliary facilities, or related institutional uses and purposes.

E. At an open public meeting held on February 11, 2020, this Board approved a Spot Survey to the District's Educational Plant Five Year Survey Report ("Spot Survey") finding and determining that the Real Property is no longer needed for educational purposes.

F. The Fort Pierce Redevelopment Agency ("Agency"), a dependent special district of the City, has requested that this Board transfer the Real Property to the Agency in accordance with

terms and conditions set forth in the proposed Purchase and Sale Agreement (“Agreement”) attached as Exhibit II.

G. On June 30, 2020, the Superintendent, on behalf of the District and this Board, caused to be published in the *St. Lucie News Tribune*, a newspaper of general circulation in St. Lucie County, Florida, notice of a public hearing of the Board to consider whether (i) to determine that the Real Property is surplus and should be transferred to another governmental agency for whatever consideration the Board deems to be in the best interest of the District and the public, (ii) to determine that transfer to the Agency for the Transfer Consideration (as defined below) is in the best interest of the District and the public, (iii) to approve and accept the proposed Agreement with the Agency in substantially the form attached as Exhibit II, and (iv) to authorize execution of the Agreement and closing of transfer of the Real Property to the Agency upon satisfaction of all conditions of the transaction.

H. The Agreement provides that the Board will transfer the Real Property to the Agency for the sum of Ten and No/100s Dollars (\$10.00) (“Transfer Consideration”), and that the Agency will assume all costs of the transaction, provided, however, that each party shall be bear its own attorney’s fees incurred in connection with the transfer.

I. In an open meeting of the Board held on July 14, 2020, the Superintendent recommended that this Board confirm the findings and determinations set forth in the Spot Survey, declare the Real Property surplus, and approve transfer of the Real Property to the Agency in accordance with the terms and conditions set forth in the proposed Agreement.

J. Following receipt of the recommendation of the Superintendent, this Board convened a public hearing for the purposes described in paragraph G above.

K. The best interests of the District will be served by (i) declaring the Real Property as surplus and available for transfer to another governmental agency for whatever consideration the Board deems to be in the best interest of the District and the public; (ii) determining that transfer to the Agency for the Transfer Consideration is in the best interest of the District and the public; (iii) approving and accepting the Agreement presented by the Agency in substantially the form set forth in Exhibit II; (iv) authorizing execution of the Agreement and closing of transfer of the Real Property, including execution and delivery of a deed conveying the Real Property to the Agency and releasing any automatic reservation of mineral rights and the right of entry in accordance with Section 270.11, Florida Statutes, upon satisfaction of all conditions of the transaction; and (v) authorizing the Chairman, Superintendent, officers, attorneys, and other agents of the Board to do all things necessary to carry out the transactions contemplated by the Agreement and this Resolution upon satisfaction of all terms, conditions, and contingencies set forth in such instruments.

NOW, THEREFORE, BE IT RESOLVED by The School Board of St. Lucie County, Florida, as follows:

1. Declaration of Real Property as Surplus. The findings and determinations of the Spot Survey are hereby confirmed, the Real Property is hereby declared surplus and unnecessary for educational purposes, and therefore the Real Property is determined to be available for transfer to

another governmental agency for whatever consideration the Board deems to be in the best interest of the District and the public.

2. **Determination that Transfer is in Best Interest of District and Public.** The Board hereby determines that transfer of the Real Property to the Agency for the Transfer Consideration and as otherwise provided in the Agreement is in the best interest of the District and the public.

3. **Approval and Acceptance of Agreement.** The Board hereby approves and accepts the Agreement between the Board and the Agency in substantially the form attached to this Resolution as Exhibit II.

4. **Execution of Agreement Authorized.** Execution of the Agreement by the Chairman or Vice-Chairman of the Board be, and it is hereby, authorized.

5. **Approval of Transfer of Real Property to the Agency; Conditions.** The transfer of the Real Property to the Agency, including execution and delivery of a deed conveying the Real Property to the Agency and releasing any automatic reservation of mineral rights and the right of entry in accordance with Section 270.11, Florida Statutes, be, and it is hereby, approved, subject to the terms, conditions, and contingencies set forth in the Agreement. The receipt of the Transfer Consideration by authorized officers and agents of the Board at the scheduled Closing of the transactions contemplated by the Agreement shall be conclusive proof of the satisfaction of such terms, conditions, and contingencies without further action of the Board.

6. **Authorization and Direction for Officers to Act.** Members of the Board, the Superintendent, officers, attorneys, and other agents of the Board are hereby authorized and directed to do all acts and things required of them by this Resolution and the Agreement for the full, punctual, and complete performance of the terms, covenants, and agreements contained herein or therein, and each member, officer, attorney, and agent of the Board is further authorized and directed to execute and deliver any and all papers and instruments and to cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated under this Resolution and the Agreement including, but not limited to, approving modifications thereto, and to related documents, provided, however, that no such modification shall materially alter the nature or extent of this Resolution or the Agreement.

7. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

[Signatures on following page]

PASSED AND DULY ADOPTED at a regular meeting this 14th day of July, 2020.

Attest:

THE SCHOOL BOARD OF ST. LUCIE
COUNTY, FLORIDA

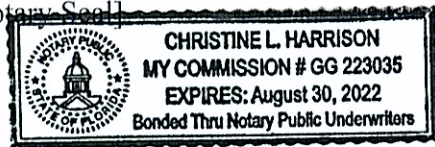
E. Wayne Gent, Superintendent and
ex officio Secretary

By: Deborah A. Hawley
Deborah A. Hawley, Chair

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me by means of physical presence or
 online notarization this 14 day of July, 2020, by Deborah A. Hawley, Chair of The
School Board of St. Lucie County, Florida, and E. Wayne Gent, Superintendent and ex officio Secre-
tary of The School Board of St. Lucie County, Florida. They are each personally known or
have each produced identification. Type of identification produced: N/A

[Notary Seal]



Christine L. Harrison
Print Name: Christine L. Harrison
Notary Public-State of Florida
My Commission Expires: _____

EXHIBIT I

Description of Real Property

Lots 9 through 30, inclusive, Block 1, Lincoln Park No. 2, according to the plat thereof recorded in Plat Book 4, Page 77, of the Public Records of St. Lucie County, Florida, less the west five feet of Lots 9 through 19, inclusive

Parcel ID No. 2409-501-0011-000-9

EXHIBIT II

Purchase and Sale Agreement