

FPRA RESOLUTION NO. 21-09

A RESOLUTION OF THE FORT PIERCE REDEVELOPMENT AGENCY, A DEPENDENT SPECIAL DISTRICT OF THE CITY OF FORT PIERCE, FLORIDA, DETERMINING THE TRANSFER OF THE REAL PROPERTY COMMONLY KNOWN AS **LOT 5, LESS THE WEST 40 FEET THEREOF, BLOCK J, B. HOGG'S ADDITION TO FORT PIERCE ON DUNDAS COURT**, FORT PIERCE, FLORIDA, PREVIOUSLY DECLARED AS SURPLUS PROPERTY TO BE IN THE BEST INTEREST OF THE PUBLIC; DETERMINING THAT A BID FOR THE REAL PROPERTY FROM A THIRD PARTY PURCHASER FOR VALUE TO BE IN THE PUBLIC INTEREST, AND AUTHORIZING AND DIRECTING THE OFFICERS, ATTORNEYS AND AGENTS OF THE FORT PIERCE REDEVELOPMENT AGENCY TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT TRANSACTIONS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, Florida ("FPRA"), has made the following determinations:

1. FPRA is the fee simple titleholder of real property which it acquired for community redevelopment commonly known as Lot 5, less the west 40 feet thereof, Block J, B. Hogg's Addition to Fort Pierce on Dundas Court, Fort Pierce, Florida (the "Real Property").

2. Section 163.380, Florida Statutes, authorizes FPRA to sell, lease, dispose of, or otherwise transfer real property or any interest therein acquired by it for community redevelopment in a community redevelopment area to any private person as it deems necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to otherwise carry out the provisions of said statute, after the approval of the community redevelopment plan by the governing body and in accordance with the procedures set forth in such statute.

3. At a meeting of FPRA held on January 16, 2018, FPRA approved the CRA Advisory Committee's recommendation and declared the Real Property to be unnecessary for its public purposes and that its disposal is in the best interest of the public.

4. On March 17, 2021, and March 24, 2021, FPRA caused to be published in the St. Lucie News Tribune, a newspaper of general circulation in Fort Pierce, Florida, a notice identifying the Real Property and inviting proposals (bids) from private redevelopers, or any persons interested in undertaking to redevelop or rehabilitate the Property. The Notice stated that bids must be made by those interested on or before 3:00 p.m. on April 15, 2021, and included general conditions, instructions, and information for the proposer, and that such further information as is available may be obtained at such office as is designated in the Notice (the "Bid Package").

5. On April 15, 2021, the bid period closed, and all bids received by FPRA were thereafter reviewed. Bid No. 2021-023 submitted by Brego Construction Corp., whose address is 507 S. 33rd Street, Fort Pierce, Florida 34947 (the "Successful Bidder") in the amount of Ten Thousand and no/100 Dollars (\$10,000.00) ("Transfer Consideration") was determined by the FPRA to be the highest bid for the Real Property.

6. The best interests of the public will be served by (i) approving that transfer of the Real Property to the Successful Bidder for the Transfer Consideration; (ii) authorizing closing of the transfer of the Real Property (the "Closing"), including execution and delivery of a deed conveying the Real Property to the Successful Bidder, releasing all right, title and interest in and to all the phosphate, minerals, metals, and petroleum that are or may be in, on, or under the Real Property, releasing any automatic reservation of

the right of entry in accordance with Section 270.11, Florida Statutes, and containing a reversionary clause specifying that title to the Real Property may revert to FPRA in the event the Successful Bidder fails to commence the improvements as described therein in compliance with the Code of Ordinances of the City of Fort Pierce within eighteen (18) months from the date of such conveyance, upon satisfaction of all conditions of the transaction, and (iii) authorizing the FPRA Chairperson, City Manager, officers, attorneys, and other agents of FPRA to do all things necessary to carry out the transactions contemplated by this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, Florida, as follows:

1. **Determination that Transfer is in Best Interest of City and Public.** The transfer of the Real Property to the Successful Bidder for the Transfer Consideration and as otherwise provided herein is in the best interests of the public.

2. **Approval of Transfer of Real Property to the Successful Bidder; Conditions.** The transfer of the Real Property to the Successful Bidder, including execution and delivery of a quitclaim deed conveying the Real Property, releasing all right, title and interest in and to all the phosphate, minerals, metals, and petroleum that are or may be in, on, or under the Real Property, releasing any automatic reservation of the right of entry in accordance with Section 270.11, Florida Statutes, and containing a reversionary clause specifying that title to the Real Property may revert to FPRA in the event the Successful Bidder fails to commence the improvements as described therein in compliance with the Code of Ordinances of the City of Fort Pierce within eighteen (18) months from the date of such conveyance, be, and it is hereby approved, subject to the terms, conditions and contingencies, if any, set forth in the Bid Package. The receipt of the Transfer Consideration by authorized officers and agents of the Board at the scheduled Closing of the transaction contemplated hereby shall be conclusive proof of the satisfaction of such terms, conditions, and contingencies, if any, without further action by FPRA.

3. **Execution of the Quitclaim Deed to Successful Bidder.** The FPRA Chairperson, Linda Hudson, and the City Manager, Nicholas Mimms, or any one of them, are hereby authorized execute the quitclaim deed conveying the FPRA's interest in the Real Property to the Successful Bidder.

4. **Authorization and Direction for Officers to Act.** Members of the FPRA, the City Manager, officers, attorneys, and other agents of FPRA are hereby authorized and directed to do all acts and things required of them by this Resolution 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 FPRA 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 property for carrying out the transactions contemplated under this Resolution including, but not limited to, approving modifications thereto, and to related documents, provided, however, that no such modification shall materially alter the nature or extend of this Resolution.

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

IN WITNESS WHEREOF, this Resolution has been duly adopted this 14th day of September 2021.

LINDA HUDSON, Chair
Fort Pierce Redevelopment Agency

ATTEST

LINDA W. COX
Agency Secretary

**APPROVED AS TO FORM
AND CORRECTNESS:**

TANYA EARLEY
Interim Agency Attorney