

## RESOLUTION 2021-28

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA (“TOWN”), AUTHORIZING THE MAYOR TO REQUEST FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) AMEND THE REVERSIONARY CLAUSE IN SAID PUBLIC PURPOSE QUITCLAIM DEED DATED APRIL 23, 1996 AND RECORDED IN OR BOOK 9415 PAGE 1622 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.**

**WHEREAS**, the FDOT acquires properties for transportation facilities for the citizens of the State of Florida; and

**WHEREAS**, the FDOT is permitted by law to convey real property that FDOT no longer needs and determines to be surplus to other public entities to further the public needs of the State of Florida; and

**WHEREAS**, FDOT previously conveyed the property described in Exhibit “A” to the Town of Lake Clarke Shores; and

**WHEREAS**, the Town now wishes to construct, operate and maintain a sewage vacuum pump station and its appurtenances on the property, as indicated on Exhibit “B” attached; and

**WHEREAS**, it is in the best interest of the citizens of the State of Florida to gain the most benefit from properties acquired with public funds; and

**WHEREAS**, the Town is requesting, that FDOT amend the public purpose reversionary clause of the property in connection with the construction, operation and maintenance of a sewage vacuum pump station and its appurtenances on the property described in attached Exhibit “A”; and

**WHEREAS**, FDOT agrees to amend the public purpose clause referenced in the Public Purpose Quitclaim Deed.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The forgoing recitals are true, correct and incorporated into the Resolution by this reference.

**SECTION 2.** The Town has requested that FDOT amend the public purpose of the property, as indicated in Exhibit “B” attached, in connection with the construction, operation and maintenance of the sewage vacuum pump station and its appurtenances on the attached Exhibit “A” to the Town pursuant to Section 337.25(4)(b) Florida Statutes.

**SECTION 3.** FDOT agrees to amend the public purpose clause referenced in the Public Purpose Quitclaim deed which will be in the best interest of the general public.

**SECTION 4.** Upon adoption of this Resolution, the Town Clerk shall forward an executed copy of this Resolution to Carlos Martinez, Florida Department of Transportation, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-4321, for further handling.

**SECTION 5.** This Resolution shall become effective upon its adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Lake Clarke Shores, Florida this 10th day of August, 2021.

	FOR	AGAINST
BY: _____ Paul R. Shalhoub, Mayor	_____	_____
_____	_____	_____
Robert M. W. Shalhoub, Vice Mayor		
_____	_____	_____
Gregory Freebold, President Pro Tem		
_____	_____	_____
Valentin Rodriguez, Jr., Council Member		
_____	_____	_____
Albert Pavon, Council Member		

ATTEST:

BY: \_\_\_\_\_  
Mary Pinkerman, CMC  
Town Clerk