

## **ORDINANCE NO. 2022-41**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING THE CONVEYANCE OF A 6,804 SF STRIP OF LAND LOCATED ADJACENT TO AND EAST OF THE PROPERTY AT 1105 S. JOG ROAD, GREENACRES, FLORIDA; AUTHORIZING CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE CONVEYANCE; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Greenacres, Florida (the “City”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, Section 1(G), Article VI of the City’s Charter requires all conveyance of City-owned property to be by ordinance; and

**WHEREAS**, in 2005, after abandoning additional right-of-way along S. Jog Road, Palm Beach County conveyed a 6,804 SF strip of land located adjacent to and east of the property at 1105 S. Jog Road in Greenacres, Florida, to the City, which property is shown on the aerial map attached hereto as Exhibit “A” and incorporated herein (“City Property”); and

**WHEREAS**, the owner of 1105 S. Jog Road, US Nursing Group Florida LLC (“Adjacent Owner”), approached the City about purchasing the City Property; and

**WHEREAS**, the Adjacent Owner paid to have a title search and appraisal completed for the City Property confirming that the City is the owner and the approximate market value; and

**WHEREAS**, the appraisal of the City Property concluded that it had a market value of \$115,000 based on the likely total market value when combined with the Adjacent Owner’s adjacent property of over two (2) acres; and

**WHEREAS**, recognizing that the Adjacent Owner is realistically the only potential buyer for the City Property, which would otherwise would not be developable and have no value, City staff and the Adjacent Owner have agreed (subject to the approval of this Ordinance) for the

City to sell the City Property for \$17,500 with the Adjacent Owner paying for all closing costs (inclusive of all title costs and taxes); and

**WHEREAS**, the City Council finds that selling the City Property to the Adjacent Owner as set forth herein serves a public purpose and is in the best interests of the public health, safety and/or welfare of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** The foregoing recitals are hereby fully incorporated herein by reference and adopted as the legislative findings of the City of Greenacres City Council.

**SECTION 2.** The City of Greenacres City Council hereby approves the conveyance of the City Property to the Adjacent Owner for \$17,500 with the Adjacent Owner paying all closing costs (inclusive of title costs and taxes). The City Property is legally described as:

A PORTION OF THE HIATUS STRIP LYING EAST OF THE EAST LINE OF TRACT 1, BLOCK 14, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45 AND WEST OF THE NORTH-SOUTH HALF SECTION LINE OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND LYING SOUTH OF THE WESTERNLY PROJECTION OF THE NORTH LINE OF THE SOUTH 193' OF TRACT 1, BLOCK 14 AND NORTH OF THE WESTERLY PROJECTION OF THE SOUTH LINE OF TRACT 1, BLOCK 14.

LESS AND EXCEPT THE 40' STRIP FOR RIGHT-OF-WAY OF JOG ROAD CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY DEED RECORDED IN DEED BOOK 995, PAGE 312, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**SECTION 3.** The City Manager or designee is hereby authorized to execute all necessary documents to accomplish the conveyance of the City Property to the Adjacent Owner as set forth herein.

**SECTION 4. Repeal Of Conflicting Ordinances.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 6. Effective Date.** The provisions of this Ordinance shall become effective upon adoption consistent with applicable law.

Passed on the first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

PASSED AND ADOPTED on the second reading this \_\_\_\_ day of \_\_\_\_\_, 2023.

Voted:

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**John Tharp**, Deputy Mayor

**Attest:**

Voted:

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

Voted:

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

Voted:

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**Susy Diaz**, Council Member, *District IV*

Voted:

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**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

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**Glen J. Torcivia**, City Attorney