

**RESOLUTION
NUMBER 2025-15**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA, DECLARING CERTAIN PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING NON-COMPETITIVE DISPOSITION OF THAT SURPLUS PROPERTY IN ACCORDANCE WITH SECTION 2-320 OF THE COUNTY CODE AND SECTION 274.05, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County is engaged in facility planning and renovation within its Government Complex located at 310 School Street in Bronson, Florida, and will be relocating County Health Department Staff and Equipment from two portable structures on the Complex campus;

WHEREAS, the County planned to demolish the portable structures; however the County Manager received a request from the Levy County School District to donate the portable structures to the School District; and

WHEREAS, Section 2-320 of the County Code and Section 274.05, Florida Statutes allow the County to declare County personal property as surplus and direct the non-competitive disposition of that property to “other governmental units in the county or district” to serve a public purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA:

Section 1. The following personal property is declared surplus: the portable structures located at 330 Mongo Street and 355 Garner Street (the “Portable Structures”) depicted on Exhibit “A” (the “Surplus Property.”)

The Surplus Property is to be disposed of non-competitively to the Levy County School District in accordance with Sec. 2-320 of the Levy County Code and Section 274.05, Florida Statutes, and subject to the terms and conditions set forth in the Donation Agreement attached to this Resolution as Exhibit “B”. The Chair is authorized to execute the Donation Agreement on behalf of the Board.

Section 2. This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ADOPTED ON March 18, 2025.

**BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA**

Desiree Mills, Chair

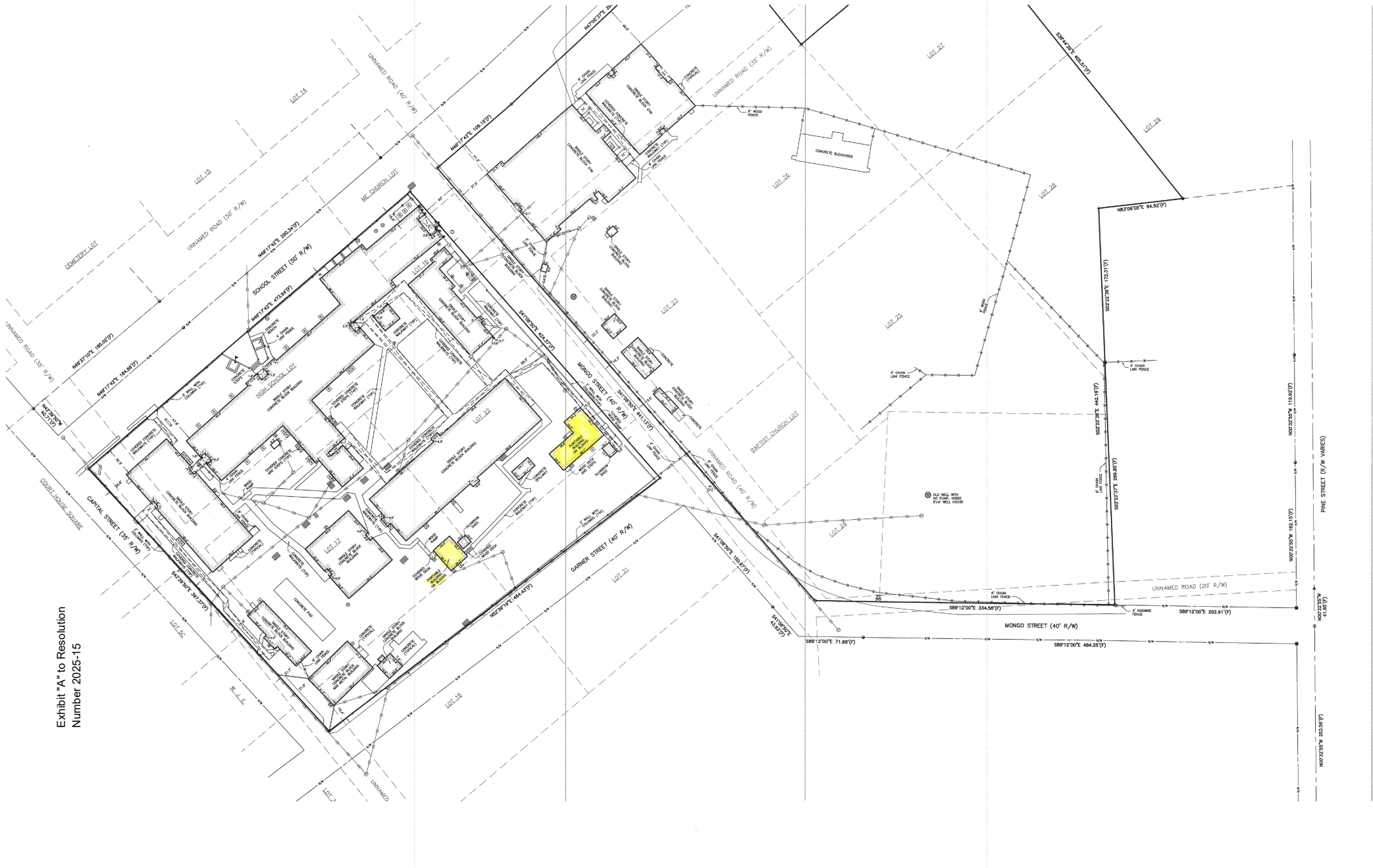
ATTEST:
Clerk of the Circuit Court
and Ex Officio Clerk to the Board
of County Commissioners

Matt Brooks, Clerk

Approved as to form and legal sufficiency

Nicolle M. Shalley, County Attorney

Exhibit "A" to Resolution
Number 2025-15



DONATION AGREEMENT

WHEREAS, on March 18, 2025, the Levy County Board of County Commissioners (the "Board") approved Resolution 2025-15 declaring two portable structures currently located on the Levy County Government Complex at 330 Mongo Street and 355 Garner Street as surplus (the "Personal Property") and authorizing non-competitive disposition of same to the Levy County School District (the "Donee") subject to the terms and conditions of this Donation Agreement (the "Agreement").

NOW THEREFORE, the Board and Donee agree as follows:

- I. Transfer of ownership; transport and set up. Each party agrees to execute any documents necessary to transfer ownership of the Personal Property. The Donee is responsible for payment of taxes and fees, if any, associated with transfer of ownership. If no such documents are necessary, transfer of ownership shall occur immediately upon the Donee (or its contractor) commencing transport of the Personal Property from the Government Complex. Donee is solely responsible for all cost and risks associated with loading and transporting the Personal Property from the Government Complex to the School Board property, this includes the prompt repair of any damage caused to the Government Complex, or property located thereon.
- II. No Warranties and Representations. The Donee understands and acknowledges that the County makes no warranties or representations concerning the quality or condition of the Personal Property or its fitness for a particular purpose or use. Donee accepts the Personal Property in its "as is, where is condition" without any warranty or guarantee of any type.
- III. Limitation of Liability; Release and Waiver
 - a. To the maximum extent allowed by law, under no circumstances will the County be liable for damages of any kind, whether direct, indirect, special, incidental, consequential or punitive, arising from or in connection with, the donation of the Personal Property to the Donee, or transfer of ownership to the Donee, or Donee's use and/or occupancy of the Personal Property.
 - b. Donee releases the County and voluntarily assumes full responsibility and risk of loss or damages from Donee's ownership of and use and/or occupancy of the Personal Property. It is Donee's express intent that this shall be deemed a full and complete release, waiver, discharge and covenant not to sue the County.

IN WITNESS WHEREOF, the parties to this Agreement have caused their names and signatures to be affixed hereto by the proper officers thereof.

**BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FLORIDA**

ATTEST: Clerk of the Circuit Court
And Ex-Officio Clerk to the Board

Desiree Mills, Chair

Matt Brooks, Clerk

Approved as to form and legal sufficiency

Nicolle Shalley, County Attorney

**LEVY COUNTY SCHOOL DISTRICT
acting by and through its School Board**

ATTEST:

Cameron Asbell, Chair

Tammy Boyle, Superintendent

Approved as to form and legal sufficiency

David Delaney, General Counsel for the
School Board