

PROPOSED ORDINANCE NO. 2021-19

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, PURSUANT TO SECTION 8.03 OF THE CITY OF PEMBROKE PINES CHARTER, AUTHORIZING THE SALE OF THAT CERTAIN 8.14 +/- ACRE PARCEL OF REAL PROPERTY, GENERALLY KNOWN AS THE NORTH OF JOHNSON STREET PROPERTY, SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH WITHIN THE PURCHASE AND SALE AGREEMENT, AND INCORPORATED HEREIN AS EXHIBIT “B”; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS IN ORDER TO EFFECTUATE THE SALE AND CONVEYANCE AS SET FORTH IN THE PURCHASE AND SALE AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Pembroke Pines, Florida (hereinafter referred to as the “City”) owns a 8.14 +/- acre parcel of real property, known as the North of Johnson Street Property (hereinafter referred to as the “Property”); and

**WHEREAS**, pursuant to Section 8.03 of the Charter, the City desires to authorize the sale of the Property to the City of Miramar, a Florida municipal corporation (hereinafter referred to as “Miramar”); and

**WHEREAS**, on January 15, 2020, the City Commission approved a Joint Participation Agreement between the City and Miramar for the construction of a roadway from SW 196<sup>th</sup> Avenue to US 27 along Pembroke Road (“JPA”), which agenda item and JPA are attached hereto as **Exhibit “A”** and incorporated herein; and

**WHEREAS**, according to the JPA, Miramar will ultimately transfer the North of Johnson Street Property to the Florida Department of Environmental Protection (“FDEP”) and the South Florida Water Management District (“SFWM”) in

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exchange on a cost for cost basis for the acquisition of the property required to extend Pembroke Road from SW 196<sup>th</sup> Avenue to US 27; and

**WHEREAS**, Miramar desires to purchase the Property for Three Hundred Ninety Four Thousand Dollars and 00/100 (\$394,000.00); and

**WHEREAS**, the City and Miramar have negotiated a Purchase and Sale Agreement (hereinafter referred to as the "Agreement") whereby Miramar will purchase the Property for the agreed upon price, pursuant to the terms therein, a copy of the Agreement is attached hereto as **Exhibit "B"** and incorporated herein by reference; and

**WHEREAS**, the City Commission deems it to be in the best interest of the citizens and residents of the City of Pembroke Pines to sell and convey the Property to Miramar in accordance with the terms of the Agreement.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

**Section 2.** The City Commission of the City of Pembroke Pines, Florida, pursuant to Section 8.03 of the City Charter, hereby authorizes the sale and conveyance of a 8.14 +/- acre parcel of real property, formerly known as the North of Johnson Street Property (hereinafter referred to as the "Property"), to Miramar,

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subject to the satisfaction of all the terms and conditions as set forth in the JPA and the Agreement, attached hereto as **Exhibits “A” and “B”** and incorporated herein.

**Section 3.** That the proper City officials are hereby authorized to execute all necessary documents to effectuate the sale and conveyance of the Property from the City of Pembroke Pines to Miramar, subject to the satisfaction of all of the terms and conditions as set forth in the Agreement.

**Section 4.** If any clause, section, or other part or application this Ordinance shall be held by any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**Section 5.** All Ordinances or parts of Ordinances in conflict herewith be and the same are repealed to the extent of such conflict.

**Section 6.** This Ordinance shall become effective immediately upon its passage and adoption.

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS \_\_\_\_ DAY OF  
\_\_\_\_\_, 2021.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING,  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:

\_\_\_\_\_  
MARLENE D. GRAHAM, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY

By: \_\_\_\_\_

MAYOR FRANK C. ORTIS

ORTIS \_\_\_\_\_

GOOD \_\_\_\_\_

SCHWARTZ \_\_\_\_\_

CASTILLO \_\_\_\_\_

SIPLE \_\_\_\_\_