

RESOLUTION NO. 16-213

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "AGREEMENT FOR THE CONVEYANCE OF REAL PROPERTY" BETWEEN THE CITY OF KEY WEST AND THE SCHOOL BOARD OF MONROE COUNTY FOR THE REMAINING SCHOOL DISTRICT OWNED STRUCTURES AT THE FORMER GLYNN ARCHER SCHOOL; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution 16-160, the City Commission requested that the Monroe County School Board consider entering into negotiations with the City for the inclusion of the two remaining buildings at the Josephine Parker City Hall at the Historic Glynn R. Archer School property for future City use; and

WHEREAS, City staff recommends approval of the attached "Agreement for the Conveyance of Real Property," which defines the respective rights and obligations between the parties in order for the City to acquire, and the School Board to release, the remaining portion of the Glynn Archer School site; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached "Agreement for Conveyance of Real Property" is hereby approved.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 6th day of July, 2016.


Authenticated by the Presiding Officer and Clerk of the Commission on 7th day of July, 2016.

Filed with the Clerk on July 7, 2016.

Mayor Craig Cates	<u>Yes</u>
Vice Mayor Clayton Lopez	<u>Yes</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Richard Payne	<u>Yes</u>
Commissioner Margaret Romero	<u>Yes</u>
Commissioner Billy Wardlow	<u>Absent</u>
Commissioner Jimmy Weekley	<u>Yes</u>


CRAIG CATES, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK

AGREEMENT FOR THE CONVEYANCE OF REAL PROPERTY

THIS AGREEMENT is made and entered into this 6th day of July, 2016, by and between **THE SCHOOL BOARD OF MONROE COUNTY, FLORIDA, A BODY CORPORATE EXISTING UNDER THE LAWS OF THE STATE OF FLORIDA, FORMERLY KNOWN AS THE BOARD OF PUBLIC INSTRUCTION OF MONROE COUNTY, FLORIDA**, whose address is 241 Trumbo Road, Key West, Florida 33040 (hereinafter "School Board"), and the **CITY OF KEY WEST, FLORIDA**, a municipal corporation, whose address is P.O. Box 1409, Key West, Florida, 33041 (hereinafter "CITY").

Whereas, on or about November 2, 2010 a referendum for the acquisition of real property commonly known as Glynn Archer School site at 1302 White Street was approved by the electorate of CITY pursuant to Charter Section 1.08 and Florida Statutes Section 101.161 after proper notice pursuant to Section 100.342 Florida Statutes: and

Whereas, the CITY acquired a portion of the approved real property by virtue of that certain Warranty Deed dated August 2nd, 2013 and recorded in Official Records Book 2642 Page 2187 of the Public Records of Monroe County, Florida and;

Whereas, the CITY desires to complete the acquisition of the property as approved by the Referendum of November 2, 2010; and

Whereas, the parties desire a written agreement between them providing the terms by which the School Board agrees to convey the subject property and the City agrees to accept title to the subject property.

NOW THEREFORE, in mutual consideration of the benefits that will accrue to the parties in faithfully abiding by the terms of this Agreement, School Board and City agree as follows:

1. In consideration of Ten Dollars (\$10.00) in hand, paid by the City, the receipt of which is hereby acknowledged, and the mutual conditions and covenants contained herein, the School Board agrees to convey to the City certain real property upon the terms and conditions hereinafter set forth, at no cost to City, for all of the real property and other interests, which real property shall include all tenements, hereditaments, together with all water and other rights, easements, appurtenances, and any and all of the School Board's rights in or arising by reason of ownership thereunto belonging, owned by the School Board, situate and lying in the County of Monroe, State of Florida, more particularly described as follows; to-wit:

(see exhibit A) , (hereinafter "Property").

The said conveyance of the Property shall take place on a date mutually agreeable to the parties. However, in no event shall the conveyance take place later than 30 days after the expiration of the inspection period provided for in paragraph 10 below.

2. The School Board agrees that it has the full right, power and authority to convey, and that it will convey to the City the fee simple title together with legal and practical access thereto clear, free and unencumbered, except subject to the following easements or reservations: