ORDINANCE NO. 2016 -

A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE PURCHASE OF THE REAL PROPERTY LOCATED AT 401 HAMPTON LANE, KEY BISCAYNE, FLORIDA 33149; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on or about November 23, 2015, TH Henderson, III (the "Seller") and Scott J. Hardie (the "Assignor"), entered into that certain As Is Residential Contract (the "Contract") whereby Seller agreed to sell the real property located at 401 Hampton Lane, Key Biscayne, Florida 33149 (the "Property") to Assignor, for the purchase price of $2,090,000.00; and

WHEREAS, Assignor subsequently assigned the Contract to the Village of Key Biscayne, Florida (the "Village") pursuant to an Assignment and Assumption Agreement dated November 24, 2015, whereby the Village took assignment of, and assumed the obligations under, the Contract; and

WHEREAS, Seller, Assignor, and the Village entered into that certain Addendum to As Is Residential Contract for Purchase and Sale effective as of December 23, 2015, which amended certain terms of the Contract; and

WHEREAS, the Village Council desires to approve the Contract, as amended, and to authorize the Village Manger to take all appropriate action thereunder to consummate the purchase of the Property; and

WHEREAS, the Village Council finds that this Ordinance is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals**. The preceding "Whereas" clauses are ratified and incorporated as

the legislative intent of this Ordinance.

Section 2. **Contract Approval.** The Village Council hereby approves the Contract and the purchase of the Property as contemplated thereby.

Section 3. **Village Manager Authorized.** The Village Manager is hereby authorized to execute any agreements, closing statements, or other documents necessary to consummate the purchase of the Property, subject to the Village Attorney's approval as to form, content and legal sufficiency.

Section 4. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED on first reading this ____ day of _____, 2016.

PASSED AND ADOPTED on second reading this ___ day of _____, 2016.

_____
MAYOR MAYRA PEÑA LINDSAY

ATTEST:

_____
CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
VILLAGE ATTORNEY