

ORDINANCE NO. 2016-2

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 12th day of January, 2016.

PASSED AND ADOPTED on second reading this 23rd day of February, 2016.


MAYOR MAYRA PEÑA LINDSAY

ATTEST:


CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK



APPROVED AS TO FORM AND LEGAL SUFFICIENCY


VILLAGE ATTORNEY

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

VILLAGE OF KEY BISCAYNE - ORDINANCES - MEETING -
FEB. 23, 2016

in the XXXX Court,
was published in said newspaper in the issues of

02/11/2016

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this
11 day of FEBRUARY, A.D. 2016

(SEAL)
MARIA MESA personally known to me



**VILLAGE OF KEY BISCAYNE
OFFICE OF THE VILLAGE CLERK
PUBLIC NOTICE**

Notice is hereby given that the following ordinances will be considered on Second Reading by the Village Council of the Village of Key Biscayne at a Meeting to be held on Tuesday, February 23, 2016 at 7:00 p.m., in the Council Chamber, located at 560 Crandon Boulevard, Key Biscayne, Florida:

A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING FHP TECTONICS CORP. FOR THE CONSTRUCTION OF THE DOG PARK AT THE VILLAGE GREEN; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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.

The proposed Ordinances may be inspected by the public at the Office of the Village Clerk. Interested parties may appear at the Public Hearing and be heard with respect to the proposed Ordinances. Any person wishing to address the Village Council on any item at this Public Hearing is asked to register with the Village Clerk prior to that item being heard.

In accordance with the Americans With Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the Village Clerk, 88 West McIntyre Street, Suite 220, Key Biscayne, Florida 33149, telephone number (305) 365-5506, not later than two business days prior to such proceeding.

Should any person desire to appeal any decision of the Village Council with respect to any matter to be considered at this meeting, that person shall insure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

Comments of any interested party relative to this matter may be submitted in writing and or presented in person at the public hearing.

Conchita H. Alvarez, MMC
Village Clerk

2/11

16-92/0000078133M