

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009	2010
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____
 Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
 Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No fiscal impact.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Jan Oul 6/28/06
 OFMB
6/28/06

Wm J. Jacoby 6/29/06
 Contract Development and Control
6/29/06

B. Legal Sufficiency:

H. J. ... 6/30/06
 Assistant County Attorney

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

Background and Justification: The 2.36-acre parcel escheated to the County in 2003 and the 0.12-acre parcel in 2005. PREM, in response to direction from the Real Estate Assets Task Force, has developed a program to convey to the municipalities in which they are located, groups of County properties which are surplus and provide little opportunity to further a County function. The Pee-Hokey Plaza's previous tenant operated a convenience store and gas station with underground fuel storage tanks which were removed in 1990, but environmental contamination currently exists. PREM, with assistance from ERM, provided notice to the City detailing the various regulations and stipulations required by DEP, PREM and ERM regarding clean up of the contamination. The City acknowledges such conditions, will accept the property in AS-IS condition and agrees to comply with all regulations and conditions. Furthermore, the City has also agreed to provide such notification as part of any future agreement it may enter into for the property. Although this parcel is located outside the City's boundaries, Section 125.38, F.S., allows conveyance of County property to a government entity, municipality or not-for-profit corporation or organization. The proposed program will train individuals through an apprenticeship program and the City proposes to enter into a long term lease with the Glades Regional Craftsman Guild, and apply for grants to renovate the buildings and fund this proposed project. Due to the Pee Hokey Plaza's deteriorated condition, Staff believes this conveyance will relieve the County of potential liability and the cost of continued ground maintenance. Additionally, Staff feels strongly that the most cost effective method to dispose of the parcels is to convey them at no cost to the City. Staff believes that the municipality is in a better position to determine how these properties should be used and maintained. Although affordable housing issues have recently surfaced, both parcels are commercial in nature. Other parcels that have escheated to the County via tax deeds which are residential in nature are being held by the County until Staff can research affordable housing issues and determine the best course of action.

NN

MM

T42

10

PAHOKEE

8

9

LARRIMORE RD

Canal

15

441

729

1 ST

11

16

← Parcel #2

← Parcel #1

MUCK CITY RD

12

21

T42

20

441

BELLE GLADE RD

1 VANDERGRIFT CT
2 APELGRIN CT

SECTION 20
(RIM CANAL RD)

NN

MM

LOCATION MAP ATTACHMENT #1



NO CONTINUING MAP

CITY OF PAHOKEE DISPOSITION SUMMARY - SPRING 2006

NO.	PCN (AND LOCATION INFORMATION)	SUBDIVISION	STREET ADDRESS	ACRES	ASSESSED VALUE	ACQUIRED BY	BOOK/PAGE NUMBER	MONTH/YEAR OF RECORDING
1.	00-37-42-20-01-009-0050 (Pee-Hokey Plaza, located outside of Pahokee's municipal boundaries)	State Survey	U.S. Highway 441	2.36	\$ 694,758	Tax Deed	15682/584	7/2003
2.	48-37-42-18-01-003-0010 (located within Pahokee's municipal boundaries)	Salvatore Addition	S. Lake Avenue	0.12	\$ 69,175	Tax Deed	19576/644	11/2005
Totals				2.48	\$ 763,933			

RESOLUTION NO. R-2006-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO CITY OF PAHOKEE WITHOUT CHARGE AND WITH MINERAL AND PETROLEUM RIGHTS RESERVATION WITHOUT RIGHTS OF ENTRY AND EXPLORATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the County owns one (1) property within the municipal boundaries of the City of Pahokee which was acquired for delinquent taxes; and,

WHEREAS, Florida Statutes Section 197.592(3) states that under certain conditions, the County is to convey to municipalities in which they are located, properties acquired by the County for delinquent taxes; and,

WHEREAS, the subject land has not been previously sold, has not been acquired for infill housing, has not been dedicated by the Board of County Commissioners, and shall not be conveyed to the record prior fee simple title owner; and,

WHEREAS, pursuant to Florida Statutes Section 270.11, the City of Pahokee has requested that such property be conveyed without reservation of and to release the rights of entry and exploration relating to such mineral and petroleum rights; and,

WHEREAS, the Board of County Commissioners of Palm Beach County has agreed to convey such property reserving phosphate, mineral, metals and petroleum rights but releasing any and all rights of entry and exploration relating to such rights.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Recitals

The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Authorization to Convey Real Property

The Board of County Commissioners of Palm Beach County shall convey to the City of Pahokee without charge and by County Deed attached hereto and incorporated herein by reference, the real property legally described in such deed.

Section 3. Conflict with Federal or State Law or County Charter

Any statutory or Charter provisions in conflict with this Resolution shall prevail.

Section 4. Effective Date

The provisions of this Resolution shall be effective immediately upon adoption hereof.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The Motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

- COMMISSIONER TONY MASILOTTI, CHAIRMAN
- COMMISSIONER ADDIE L. GREENE, VICE CHAIRPERSON
- COMMISSIONER KAREN T. MARCUS
- COMMISSIONER JEFF KOONS
- COMMISSIONER WARREN H. NEWELL
- COMMISSIONER MARY MCCARTY
- COMMISSIONER BURT AARONSON

The Chair thereupon declared the resolution duly passed and adopted this ____ day of _____, 2006.

PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida
Board of County Commissioners

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By _____
Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By Raymond Wolf
Department Director

RESOLUTION NO. R-2006-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO CITY OF PAHOKEE WITHOUT CHARGE AND WITH MINERAL AND PETROLEUM RIGHTS RESERVATION WITHOUT RIGHTS OF ENTRY AND EXPLORATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the County owns one (1) property located in the unincorporated portion of the County outside of the municipal boundaries of the City of Pahokee which was acquired for delinquent taxes; and,

WHEREAS, Florida Statutes Section 125.38 states that under certain conditions, the County may convey to municipalities, government entities or not for profit corporations or organizations property requested and acquired by the County for delinquent taxes; and,

WHEREAS, the subject land has not been previously sold, has not been acquired for infill housing, has not been dedicated by the Board of County Commissioners, and shall not be conveyed to the record prior fee simple title owner; and,

WHEREAS, pursuant to Florida Statutes Section 270.11, the City of Pahokee has requested that such property be conveyed without reservation of and to release the rights of entry and exploration relating to such mineral and petroleum rights; and,

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- COMMISSIONER KAREN T. MARCUS
- COMMISSIONER JEFF KOONS
- COMMISSIONER WARREN H. NEWELL
- COMMISSIONER MARY MCCARTY
- COMMISSIONER BURT AARONSON

The Chair thereupon declared the resolution duly passed and adopted this ____ day of _____, 2006.

PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida
Board of County Commissioners

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By _____
Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By *RH Anthony Wolf*
Department Director

PREPARED BY AND RETURN TO:
STEVEN K. SCHLAMP, PROPERTY SPECIALIST
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
3200 BELVEDERE ROAD, BUILDING 1169
WEST PALM BEACH, FLORIDA 33406-1544

PROPERTY CONTROL NUMBER: 00-37-42-20-01-009-0050

COUNTY DEED

THIS DEED, made _____, by PALM BEACH COUNTY, FLORIDA, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4791, party of the first part, and the CITY OF PAHOKEE, a municipal corporation, whose legal mailing address is 171 N. Lake Avenue, Pahokee, Florida 33476, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

SUB OF SEC 20 IN PB7 P2 N 525 FT OF S 670 FT OF TRACT 9 W OF BELLE GLADE-PAHOKEE RD (LESS E 45 FT OF W 50.6 FT & W 35 FT OF E 105 FT OF N 510 FT OF S 655 FT) & W 116 FT OF S 145 FT OF TR 9. THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 169 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 15682, PAGE 584, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto party of the first part, its successors and assigns an undivided three-fourths (3/4) interest in, and title in and to an undivided three-fourths (3/4) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half (1/2) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and party of the first part hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairperson of said Board, the day and year aforesaid.

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
a political subdivision of the State of Florida

By: _____
Deputy Clerk

By: _____
Tony Masilotti, Chairman

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

ATTACHMENT #4

PREPARED BY AND RETURN TO:
STEVEN K. SCHLAMP, PROPERTY SPECIALIST
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
3200 BELVEDERE ROAD, BUILDING 1169
WEST PALM BEACH, FLORIDA 33406-1544

PROPERTY CONTROL NUMBER: 48-37-42-18-01-003-0010

COUNTY DEED

THIS DEED, made _____, by PALM BEACH COUNTY, FLORIDA, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4791, party of the first part, and the CITY OF PAHOKEE, a municipal corporation, whose legal mailing address is 171 N. Lake Avenue, Pahokee, Florida 33476, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

SALVATORE ADD LT 1 & N 28.63 FT OF LT 2 BLK 3. THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 14881 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 19576, PAGE 644, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto party of the first part, its successors and assigns an undivided three-fourths (3/4) interest in, and title in and to an undivided three-fourths (3/4) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half (1/2) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and party of the first part hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairperson of said Board, the day and year aforesaid.

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
a political subdivision of the State of Florida

By: _____
Deputy Clerk

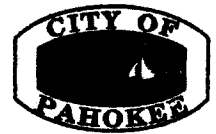
By: _____
Tony Masilotti, Chairman

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

City of Pahokee



CITY HALL & 171 NORTH LAKE AVENUE & PAHOKEE, FLORIDA 33476 & PHONE (561) 924-5534 & FAX (561) 924-7301

RECEIVED

P. Sasser
Mayor

Keith Babb
City Mayor

Thelma H. Biggs
Commissioner

Henry Crawford, Jr.
Commissioner

Barry McEntire
Commissioner

Lillie J. Latimore
City Manager

Christina McLean
City Clerk

Herbert Crawford, Jr., Director,
Parks and Recreation

Lynn Whitfield
City Attorney

Janie Perkins
Finance Director

James E. Blackford
Police Chief

Gary C. Burroughs
Fire Chief

NOV 23 2005

October 18, 2005

Ms. Verdenia Baker
Deputy County Administrator
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida


Dear Ms. Baker:

During our most recent discussion, the possibility of City of Pahokee acquisition of the Pahokee Plaza, a County owned property for the use of housing a Trade Accelerator project, was discussed.

On October 11, 2005, Mr. Paul Skyers appeared before the City Commission to present his plan for the Glades Regional Craftsmen's Guild in the City of Pahokee. As discussed with you earlier, I had shown the Pahokee Plaza site to Mr. Skyers and Mr. Schafler of the EDGE Center, who both indicated that the site is perfect for this interactive training program. In addition, this project will enhance capacity building in our community. I have enclosed a copy of Mr. Skyers Agenda Item; however, a full business plan can be made available.

I am appealing to Palm Beach County for its support in the City's acquisition of this property for use in this very much needed capacity-building project.

Sincerely,


Lillie J. Latimore
City Manager

Enclosure

ATTACHMENT #5

City of Pahokee



CITY HALL λ 171 NORTH LAKE AVENUE λ PAHOKEE, FLORIDA 33476 λ PHONE (561) 924-5534λ FAX (561) 924-7301

December 30, 2005

J. P. Sasser
Mayor

Keith Babb
Vice Mayor

Allie Biggs
Commissioner

Henry Crawford, Jr.
Commissioner

Gary McEntire
Commissioner

Lillie J. Latimore
City Manager

Herbert Crawford, Director,
Parks and Recreation

Walton, Lantaff, et al.
City Attorney

Jeanie Perkins
Finance Director

James Blackford
Police Chief

Gary C. Burroughs
Fire Chief

Patricia McLean
City Clerk

RECEIVED

MAR 08 2006

Mr. Ross Hering, Director
Palm Beach County Real Estate
3200 Belvedere Road, Building 1169
West Palm Beach, FL 33406-1544


Dear Mr. Hering:

The City of Pahokee is interested in acquiring escheated property at 473 South Lake Avenue, PCN Number 48-37-42-18-01-003-0010, which is a commercial property, in addition to the Pahokee Plaza, which has already been requested.

This property will be used to help energize the commercial district of the City of Pahokee and fuel its economic development.

Should you require additional information in processing this acquisition, please call me directly. As always, thank you for all that you do for the City of Pahokee.

Sincerely,


Lillie J. Latimore
City Manager

Cc: Honorable Members of
The City Commission



**Facilities Development &
Operations Department**

**Property & Real Estate
Management Division**

3200 Belvedere Road

Building 1169

West Palm Beach, FL 33406-1544

(561) 233-0200

FAX: (561) 233-0210

www.pbcgov.com/fdo



**Palm Beach County
Board of County
Commissioners**

Tony Masilotti, Chairman

Addie L. Greene, Vice Chairperson

Karen T. Marcus

Jeff Koons

Warren H. Newell

Mary McCarty

Burt Aaronson

County Administrator

Robert Weisman

*"An Equal Opportunity
Affirmative Action Employer"*



**FAXED TO 561-924-7301 (3 PAGES)
& SENT VIA REGULAR MAIL**

February 23, 2006

Ms. Lillie J. Latimore
City Manager
City of Pahokee
171 North Lake Avenue
Pahokee, FL 33476

RECEIVED

MAR 31 2006

RE: Pee-Hokey Plaza ("Plaza")

Dear Ms. Latimore:

As you're aware, Palm Beach County wishes to convey at no cost three (3) parcels to the City of Pahokee (City) that the County received via tax deed escheatment. Various correspondence and conversations on this conveyance have occurred, and on January 10, 2006, we received your December 30, 2005, letter requesting these parcels.

As your December 30th letter acknowledges, one of the parcels (PCN 00-37-42-20-01-009-0050, known as the Pee-Hokey Plaza) has potential contamination. Although your letter states that the City understands the responsibilities in acquiring properties that are potentially contaminated sites and is in agreement in taking responsibility for site inspection and cleanup, the County's Environmental Resources Management Department (ERM) has requested that we fully advise the City of the following for this site:

- (1) Records indicate that the Plaza previously contained three (3) 10,000 gallon underground fuel tanks which were removed in December 1990. Records further indicate that the property has been designated as having high levels of petroleum-based contamination in both the soils and groundwater.

ATTACHMENT # 6



L. Latimore, City of Pahokee - Pee-Hokey Plaza

February 23, 2006

page two - via fax and regular mail _____ /

- (2) In the early-1990's after contamination was discovered, ERM recommended to Nana's Petroleum, Inc. (the Plaza's former owner) that they request contamination removal assistance through the Florida Petroleum Liability Restoration and Insurance Program; however, it is unclear whether Nana's Petroleum complied. The State of Florida Department of Environmental Protection (DEP) has created the Petroleum Cleanup Participation Program (PCPP) to assist owners of contaminated property in paying for site cleanup. The PCPP requires that the owner of the Plaza must: (i) pay for a limited contamination assessment report which identifies the extent of the contamination and cleanup, and (ii) contribute 25% of the money necessary to complete the cleanup.
- (3) Funding for cleanup of petroleum contaminated sites has been prioritized by the DEP based on potential environmental hazard. Since this site has a relatively low potential environmental hazard, it has been assigned a score of 6. Funding is currently available for petroleum cleanup sites with a score of 30 or higher. Since the score for the Plaza is relatively low, it is impossible to predict when funding for contamination cleanup will be available.
- (4) If the Plaza's owner proceeds with renovations or development of the site prior to completion of a site cleanup, the eventual cleanup of the site, whether it is performed by the Plaza's owner or DEP, will likely require excavating portions of the site to remove contaminated soils and drilling of monitoring wells or soil borings, which may temporarily disrupt or limit the renovations/development of the Plaza.

ERM can provide technical assistance to the City in their efforts to cleanup the Plaza. In order for the County to convey the Plaza to the City, we request your acknowledgment of the above. Please sign below and fax this letter to me at (561) 233-0210 with the original mailed to my attention. Furthermore, by executing this letter below, the City hereby agrees to include this letter as an exhibit to any agreement regarding the future conveyance(s) or development of the Plaza.



L. Latimore, City of Pahokee - Pee-Hokey Plaza
February 23, 2006
page three - via fax and regular mail /

Should you have any questions, do not hesitate to contact me at (561) 233-0220. Thank you.

Sincerely,

Samara J. Cooper
Assistant Director

SJC:SKS

cc: Richard C. Bogatin, Manager, Property Management/PREM
Steven K. Schlamp, Property Specialist/PREM
Howard J. Falcon, Assistant County Attorney (via fax only to 355-4398)
Richard E. Walesky, Director/ERM (via fax only to 233-2414)

ACKNOWLEDGED AND AGREED TO:

City of Pahokee

By

Signature
Lillie J. Latimore
Print Name
City Manager
Title

Select Year: 2005

Go

The 2005 Florida Statutes

Title XI
 COUNTY ORGANIZATION AND
 INTERGOVERNMENTAL RELATIONS

Chapter 125
 COUNTY
 GOVERNMENT

[View Entire
 Chapter](#)

125.38 Sale of county property to United States, or state.--If the United States, or any department or agency thereof, the state or any political subdivision or agency thereof, or any municipality of this state, or corporation or other organization not for profit which may be organized for the purposes of promoting community interest and welfare, should desire any real or personal property that may be owned by any county of this state or by its board of county commissioners, for public or community interest and welfare, then the United States, or any department or agency thereof, state or such political subdivision, agency, municipality, corporation or organization may apply to the board of county commissioners for a conveyance or lease of such property. Such board, if satisfied that such property is required for such use and is not needed for county purposes, may thereupon convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property. The fact of such application being made, the purpose for which such property is to be used, and the price or rent therefor shall be set out in a resolution duly adopted by such board. In case of a lease, the term of such lease shall be recited in such resolution. No advertisement shall be required.

History.--s. 4, ch. 23829, 1947.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes. Copyright © 2000-2005 State of Florida.

Select Year: 2005

The 2005 Florida Statutes

Title XIV

Chapter 197

[View Entire Chapter](#)

TAXATION AND FINANCE TAX COLLECTIONS, SALES, AND LIENS

197.592 County delinquent tax lands; method and procedure for sale by county; certain lands conveyed to municipalities; extinction of liens.--

(1) Lands acquired by any county of the state for delinquent taxes in accordance with law which have not been previously sold or dedicated by the board of county commissioners may, at its discretion, be conveyed to the record fee simple owner of such lands as of the date the county obtained title to the lands. However, before any conveyance shall be made, the former owner of the lands may file with the board of county commissioners a verified written application which shall show:

- (a) The description of the lands for which a conveyance is sought;
 - (b) The name and address of the former owner;
 - (c) The date title was acquired by the county;
 - (d) The price of the lands as previously fixed by resolution of the board of county commissioners, if this has been done;
 - (e) The use to which the lands were enjoyed by the record fee simple owner at the time of acquisition by the county;
 - (f) A brief statement of the facts and circumstances upon which the former owner bases the request for restitution of the described property;
 - (g) An offer to pay an amount equal to all taxes, including municipal taxes and liens, if any, which had become delinquent, together with interest and costs provided by law.
- (2) In the event the described lands have not been assessed for taxes for the current year in which the petition is filed, the applicant shall pay, in addition, the taxes for current and omitted years, the latter amount to be determined by applicable millage for the omitted years and based on the last assessment of the described lands.
- (3) Lands acquired by any county of the state for delinquent taxes in accordance with law which have not been previously sold, acquired for infill housing, or dedicated by the board of county commissioners, which the board of county commissioners has determined are not to be conveyed to the record fee simple owner in accordance with the provisions of subsections (1) and (2), and which are located within the boundaries of an incorporated municipality of the county shall be conveyed to the governing board of the municipality in which the land is located. Such lands conveyed to the municipality shall be freely alienable to the municipality without regard to third parties. Liens of record held by the county on such parcels conveyed to a municipality shall not survive the conveyance of the property to the municipality.
- (4) Liens of record held by the county upon lands not conveyed in accordance with subsections (1) and (2) or subsection (3) shall not survive the conveyance of the property to the county.

History.--s. 1, ch. 22870, 1945; ss. 1, 2, ch. 69-55; s. 1, ch. 72-268; s. 23, ch. 73-332; s. 197, ch. 85-342; s. 7, ch. 86-141; s. 6, ch. 99-190.

Note.--Former ss. 194.471, 197.655, 197.302.

Select Year: 2005

Go

The 2005 Florida Statutes

Title XVIII
PUBLIC LANDS AND PROPERTYChapter 270
PUBLIC LANDS[View Entire Chapter](#)

270.11 Contracts for sale of public lands to reserve certain mineral rights; prohibition on exercise of right of entry in certain cases.--

(1) Unless the applicable agency chooses not to reserve such interest and except as otherwise provided by law, in all contracts and deeds for the sale of land executed by the Board of Trustees of the Internal Improvement Trust Fund or by any local government, water management district, or other agency of the state, there shall be reserved for such local government, water management district, other agency of the state, or the board of trustees and its successors an undivided three-fourths interest in, and title in and to an undivided three-fourths interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half interest in all the petroleum that is or may be in, on, or under said land with the privilege to mine and develop the same.

(2)(a) The Board of Trustees of the Internal Improvement Trust Fund may, in its discretion, sell or release any reserved interest or any portion thereof in or as to any particular parcel of land, and the State Board of Education may sell or release any such interest or any portion thereof which was reserved for said board pursuant to this section prior to September 1, 1967. Such sale or release shall be made on application of the owner of the title to the particular parcel of land with statement of reason justifying such sale or release.

(b) The right of entry in respect to any interest in phosphate, minerals, and metals or any interest in petroleum heretofore or hereafter reserved in favor of the Board of Trustees of the Internal Improvement Trust Fund or the State Board of Education is hereby released as to any parcel of property that is, or ever has been, a contiguous tract of less than 20 acres in the aggregate under the same ownership.

(3) A local government, water management district, or agency of the state may, at its discretion, sell or release reserved interest in any parcel of land, except that such sale or release shall be made upon petition of the purchaser for such interest and with a statement of reasons justifying such sale or release.

(4) Any state agency, except a water management district, which receives royalties for parcels shall remit any such moneys into the General Revenue Fund, unless otherwise provided by law.

History.--ss. 1, 2, ch. 6159, 1911; RGS 1226; CGL 1771; s. 1095, ch. 19355, 1939; CGL 1940 Supp. 892(414); s. 1, ch. 26849, 1951; s. 1, ch. 59-220; s. 2, ch. 61-119; ss. 27, 35, ch. 69-106; s. 76, ch. 71-355; s. 1, ch. 86-205; s. 1, ch. 86-257; s. 9, ch. 2001-256.

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