

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date:	August 16, 2011	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

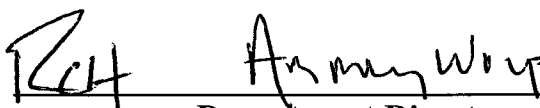
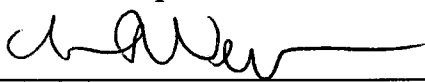
Motion and Title: Staff recommends motion to approve: a Bill of Sale to transfer the title to the doublewide modular classroom, Asset No.1010200990, to the South Florida Fair and Palm Beach County Expositions, Inc. ("Fair") pursuant to the First Restatement of Lease Agreement with the Fair (R2009-1668).

Summary: On October 6, 2009, the Board approved the First Restatement of Lease Agreement with the South Florida Fair and Palm Beach County Expositions, Inc. providing the Palm Beach Community College ("College") sole use of the driver training facility constructed by the County at the South Florida Fairgrounds on Southern Boulevard. The First Restatement: (i) assigned responsibilities to the College, (ii) transferred improvements to the Fair, (iii) provided the Fair an option to take possession of the modular at no charge in its "As-Is" condition upon expiration of the lease, and (iv) if the option is exercised, required County to transfer title of the modular to the Fair. The Lease expired on June 30, 2011. The modular is beyond its useful life and the cost to remove it would exceed its estimated market value. If the Fair were to decline to take the modular, the County will be responsible for removing it and restoring the premises at its sole cost which was why the County was agreeable to including this provision in the First Restatement. **(PREM) District 6 (HJF)**

Background and Justification: In 1993, the County entered into a 25 year land lease (R93-810D) on behalf of the Palm Beach County Sheriff's Office ("PBSO") with the Fair for the construction and operation of a law enforcement driver training facility at the Fairgrounds. In 2008, PBSO vacated and relocated its driver training to its new facility off of Pike Road. Since the College's new Training Facility was not yet operational, on October 6, 2009, the Board approved the First Restatement of Lease Agreement (R2009-1668) with the Fair permitting the College to continue utilizing the training facility at the Fairgrounds. On November 16, 2010, the Board approved an Amendment (R2010-1864) extending the term until June 30, 2011. On June 30, 2011, the College vacated and the County surrendered the premises. In conjunction with Section 3.05 of the First Restatement, the Fair requested possession and the County is providing a Bill of Sale to transfer title of the modular to the Fair. The 10-year useful life of the modular has expired, and it has no value to the County. Upon approval of the Bill of Sale the County's Fixed Assets Management Office will retire Asset No. 101020099.

Attachments:

1. Location Map
2. Bill of Sale
3. June 20, 2011, letter from Fair requesting possession
4. Request to Transfer Asset Form

Recommended By:		8/12/11
	Department Director	Date
Approved By:		8/14/11
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	-\$0-	-\$0-	-\$0-	-\$0-	-\$0-
# 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
Conveyance of the modular will save County removal and disposal fees.

C. Departmental Fiscal Review: 8-3-11

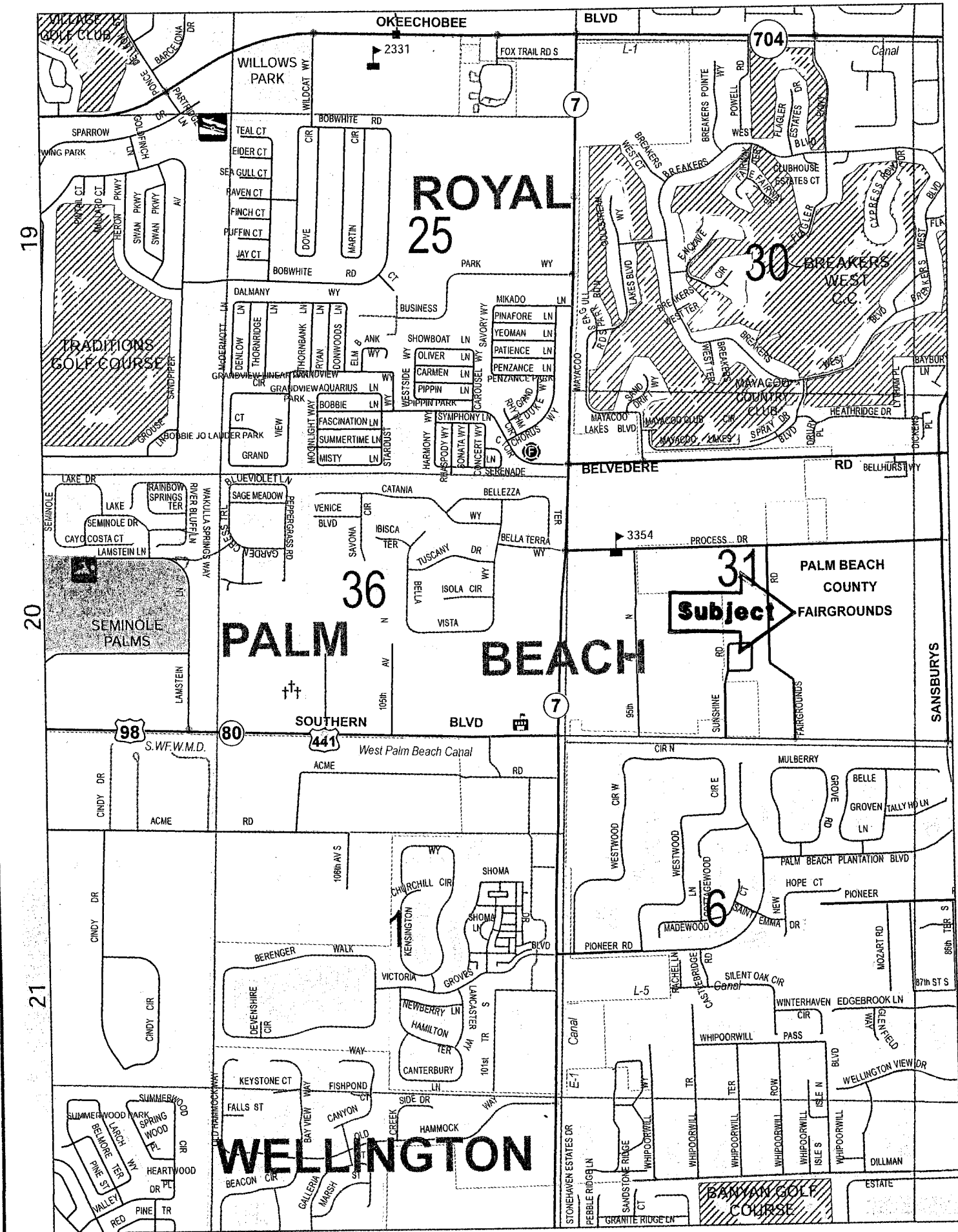
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments: *for FAMO 7/26/11*
Savings cannot be determined at this time
8/9/11
OFMB *8/7/11* *8/5/11*
Contract Development and Control *8/9/11*

B. Legal Sufficiency:
8/10/11
Assistant County Attorney

C. Other Department Review:
Department Director

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



Handwritten signature or mark.

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose address is 301 North Olive Avenue, West Palm Beach, FL 33401, party of the first part, for and in consideration of the sum of TEN AND NO/100'S (\$10.00) DOLLARS, in lawful money (and other good and valuable considerations) to it paid by **SOUTH FLORIDA FAIR AND PALM BEACH COUNTY EXPOSITIONS, INC.**, a Florida not-for-profit corporation, whose address is 9067 Southern Boulevard, West Palm Beach, FL 33411, party of the second part, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, transferred, set over and delivered, and by these presents does grant, bargain, sell, transfer, set over and deliver unto the party of the second part, its successors and assigns, the property described as follows:

One Doublewide Modular Classroom
Manufacturer: Space Master Enterprises
Unit #27874, Serial # 4424A (north half)
Unit #27875, Serial # 4424B (south half)

TO HAVE AND TO HOLD the same unto the party of the second part, forever.

THE DESCRIBED PROPERTY IS SOLD "AS-IS" WITHOUT ANY WARRANTIES, EXPRESS OR IMPLIED, AS TO THE CONDITION OF SUCH PROPERTY. BY ACCEPTING THIS BILL OF SALE, PARTY OF THE SECOND PART REPRESENTS THAT PARTY OF THE SECOND PART HAS PERSONALLY INSPECTED THE DESCRIBED PROPERTY AND ACCEPTS THE PROPERTY "AS-IS".

IN WITNESS WHEREOF, the party of the first part has set his and/or her hand and seal this _____ day of _____, 20__.

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

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


By: _____
Deputy Clerk

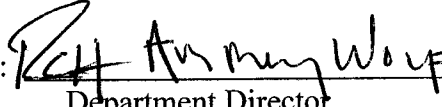
By: _____
Karen T. Marcus, Chair

(OFFICIAL SEAL)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: 
Assistant County Attorney

By: 
Department Director

SOUTH FLORIDA FAIR



PALM BEACH COUNTY EXPOSITIONS, INC.

9067 Southern Blvd. • PO Box 210367 • West Palm Beach, FL 33421-0367 • (561) 793-0333 • Fax (561) 790-5246

RECEIVED

JUN 22 2011

Respond Directly To:

Phone: (561) 790-5207

Fax: (561) 790-5210

June 20, 2011

Mr. Ross Hering, Director
PREM
2633 Vista Parkway
West Palm Beach, FL 33411-5603

RE Transfer of title to Modular Classroom Building

Dear Mr. Hering:

Pursuant to the terms of Section 3.05 of the First Restatement of Lease Agreement (R2009-1668) dated October 6, 2009, the undersigned, on behalf of the South Florida Fair and Palm Beach County Expositions, Inc., hereby requests that the County transfer title to the modular classroom building as defined therein.

Sincerely yours,

Richard J. Vymlatil
President/CEO

RJV:ch



**REQUEST TO TRANSFER ASSET TO FIXED ASSETS MGT OFFICE
PALM BEACH COUNTY**

OFMB/FINANCIAL MANAGEMENT DIVISION
FIXED ASSETS MANAGEMENT OFFICE
Form #2

DEPARTMENT/DIVISION NAME Facilities, Development & Operations / Property Real Estate Management	CUSTODIAN CODE 1235	DATE 07/01/2011
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ASSET NUMBER	DESCRIPTION	REASON CODE	CONDITION CODE	FAMO UPDATE REFERENCE	Z # ASSIGNED	ASSIGNED TO		
						INV	STORE	SCRAP
1010200990	Driver Training Double wide Modular,	4	3					
	Manufacture is Space Master Enterprise							
	Unit #27874, Serial # 4424A (north half)							
	Unit #27875, Serial # 4424B (south half)							
	See Attached PHOTOS							


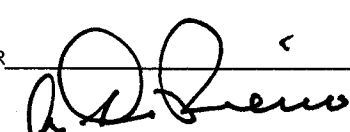
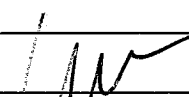
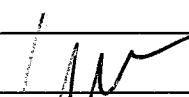
REASON CODES

1 - EXCESS 2 - OBSOLETE 3 - OTHER SURPLUS (specify) _____ 4 - STATUTORY/PUBLIC PURPOSE/BCC ACTION (Describe in Comments section below)

CONDITION CODES

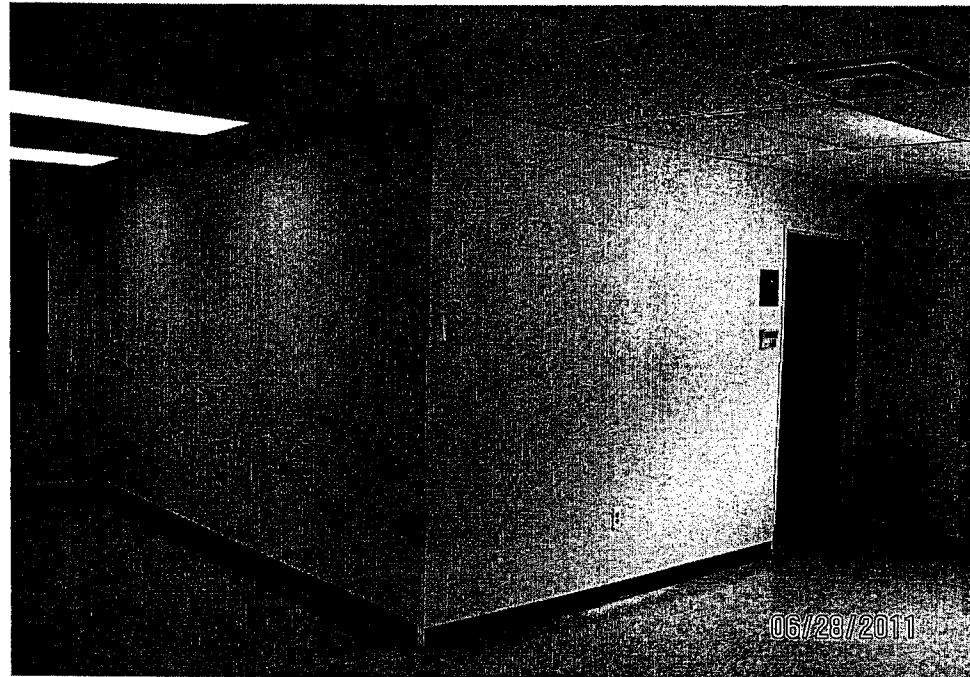
1 - NEW 2 - GOOD 3 - FAIR 4 - POOR 5 - BROKEN/SERVICEABLE 6 - BROKEN/BEYOND REPAIR 7 - OTHER _____

COMMENTS (details on Reason 4 transfers, trade-ins, scrapping and thefts required here) The Lease Agreement (R2009-1669), as amended expired on June 30, 2011. Section 3.05 of the Agreement (attached) provides for a transfer of improvements at expiration to the So Florida Fair (SFF), in AS-IS condition. On June 20, 2011, Rick Vymlatil, President CEO/SFF requested the modular in its AS-IS Condition.

REQUESTED BY - ORIGINATING DEPARTMENT		APPROVAL - FIXED ASSETS MANAGEMENT OFFICE	
ORIGINATOR 	DATE 7-8-2011	INVENTORY OFFICER 	DATE 7/26/11
INVENTORY OFFICER 	DATE 7-8-11	WAREHOUSE	DATE
CUSTODIAN 	DATE 7-8-11		

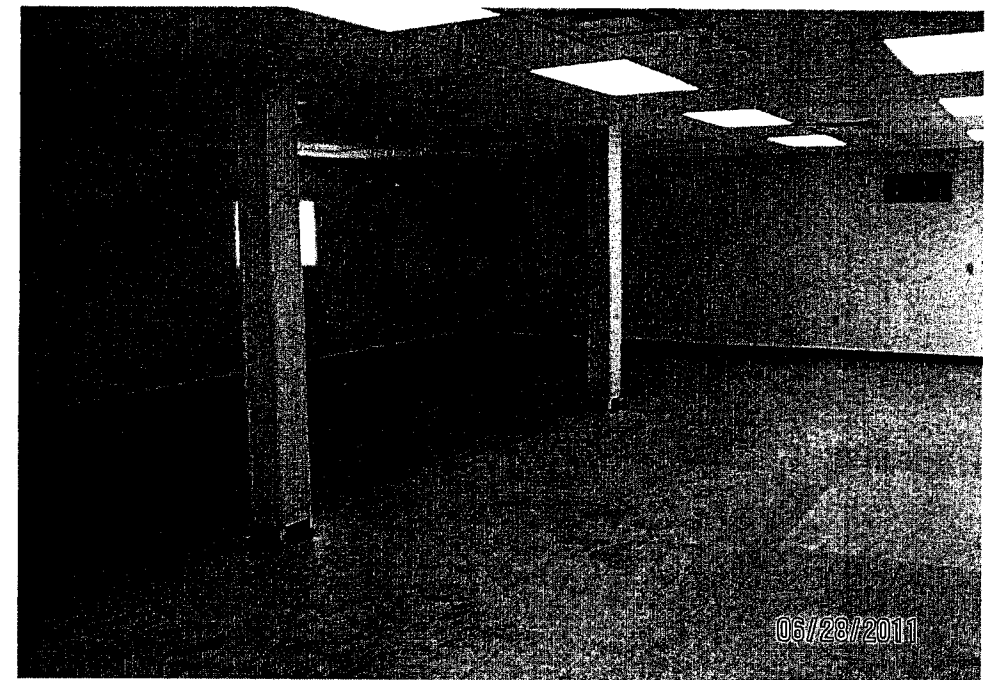
DISTRIBUTION: ORIGINAL SIGNATURES - FAMO PHOTOCOPY - Originating Department

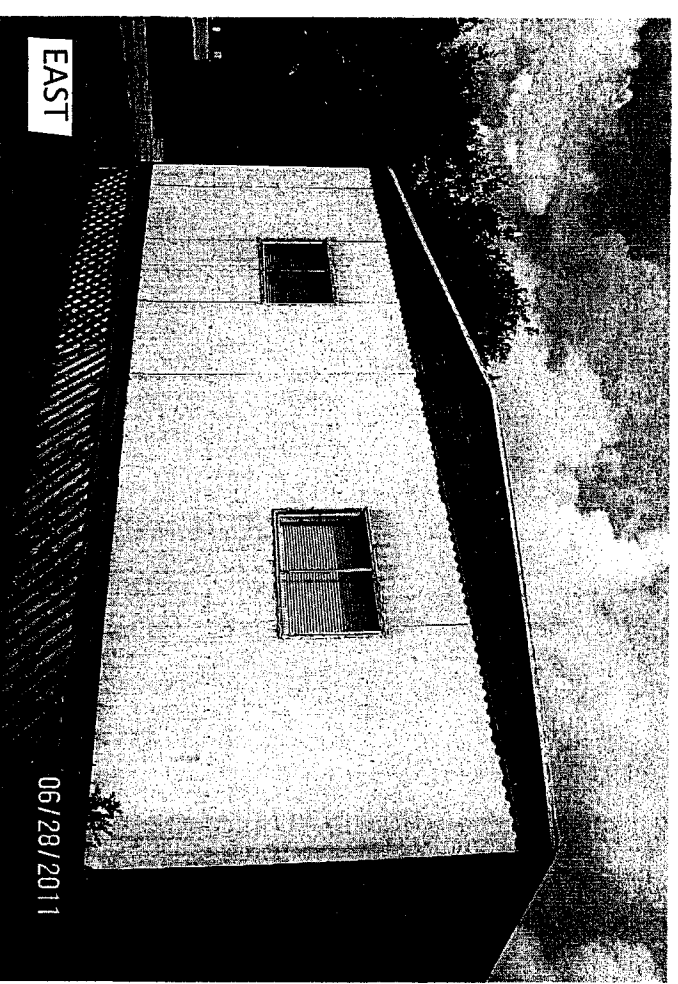
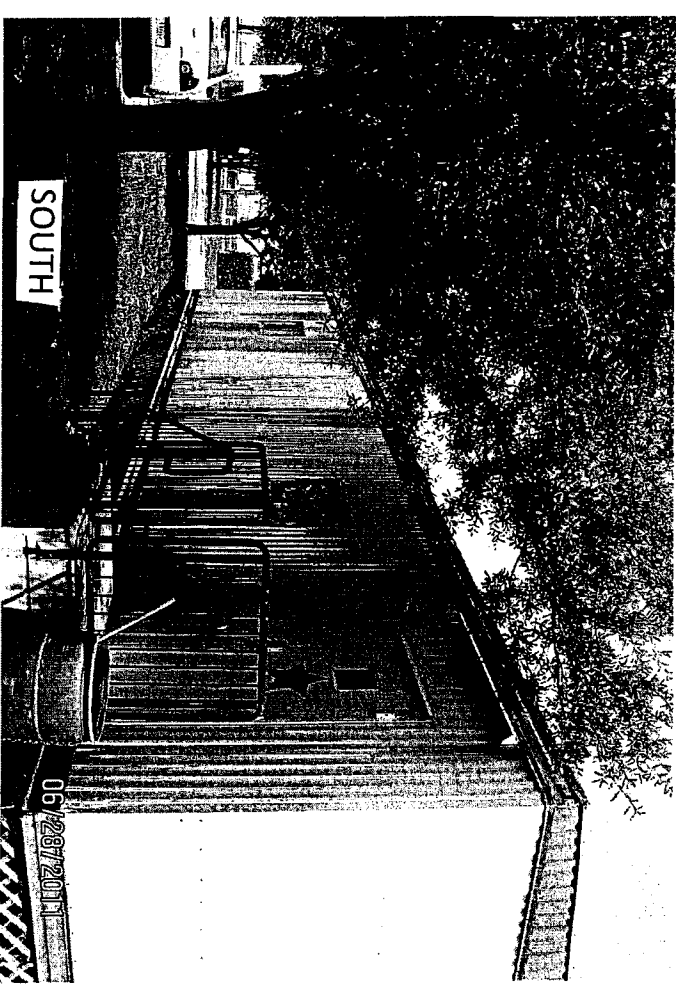
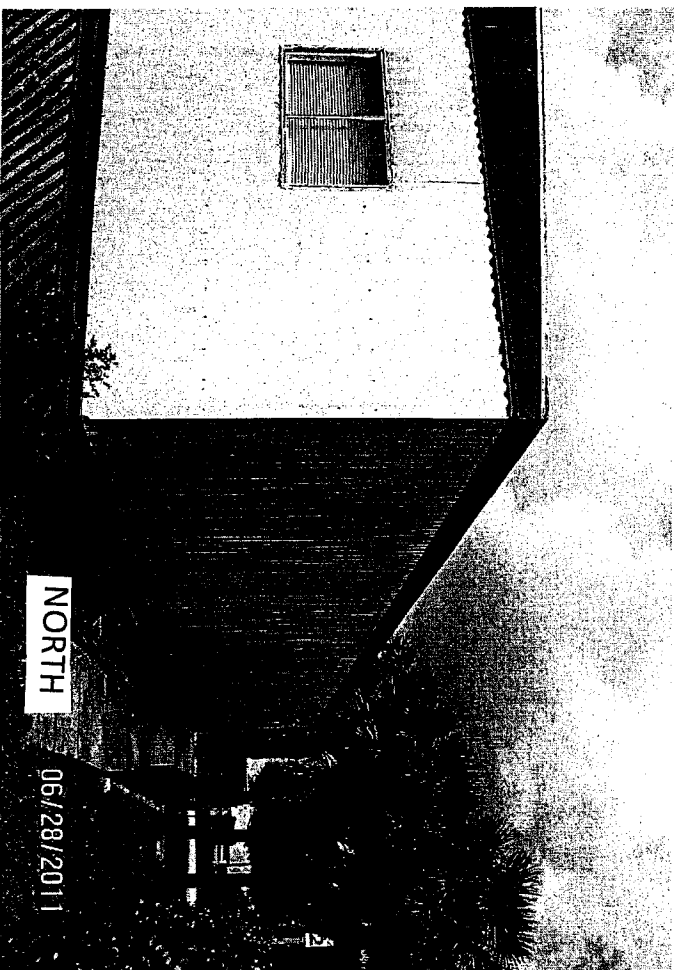
Rev 12/2003





INTERIOR

Asset Number 1010200990 Space Master Modular
PBSO Driver Training (R2009-1669)





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Florida Non Profit Corporation

SOUTH FLORIDA FAIR AND PALM BEACH COUNTY EXPOSITIONS, INC.

Filing Information

Document Number	735248
FEI/EIN Number	590870057
Date Filed	03/05/1976
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	10/31/2000
Event Effective Date	NONE

Principal Address

9067 SOUTHERN BLVD.
WEST PALM BEACH FL 33411
Changed 10/31/2000

Mailing Address

4425 MILITARY TRAIL
SUITE 109
JUPITER FL 33458
Changed 04/29/2010

Registered Agent Name & Address

FOSTER, JOHN F
4425 MILITARY TRAIL
SUITE 109
JUPITER FL 33458 US
Name Changed: 04/02/2007
Address Changed: 04/29/2010

Officer/Director Detail

Name & Address
Title C
BROADWAY, ROBERT 9067 SOUTHERN BLVD. WEST PALM BEACH FL 33411 US
Title VC
ELMORE, CRAIG 9067 SOUTHERN BLVD. WEST PALM BEACH FL 33411 US
Title P
VYMLATIL, RICHARD J 9067 SOUTHERN BLVD. WEST PALM BEACH FL 33411 US

Title T

FROST, JACK
9067 SOUTHERN BLVD.
WEST PALM BEACH FL 33411 US

Title S

BUBIS, MICHAEL
9067 SOUTHERN BLVD.
WEST PALM BEACH FL 33411 US

Title AS

FOSTER, JOHN FENN
4425 MILITARY TRAIL, SUITE 109
JUPITER FL 33458 US

Annual Reports

Report Year Filed Date

2010	04/29/2010
2010	07/07/2010
2011	03/22/2011

Document Images

03/22/2011 -- ANNUAL REPORT	View image in PDF format
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State of Florida, Department of State

2011 NOT-FOR-PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# 735248

**FILED
Mar 22, 2011
Secretary of State**

Entity Name: SOUTH FLORIDA FAIR AND PALM BEACH COUNTY EXPOSITIONS, INC.

Current Principal Place of Business:

9067 SOUTHERN BLVD.
WEST PALM BEACH, FL 33411

New Principal Place of Business:

Current Mailing Address:

4425 MILITARY TRAIL
SUITE 109
JUPITER, FL 33458

New Mailing Address:

FEI Number: 59-0870057

FEI Number Applied For ()

FEI Number Not Applicable ()

Certificate of Status Desired ()

Name and Address of Current Registered Agent:

FOSTER, JOHN F
4425 MILITARY TRAIL
SUITE 109
JUPITER, FL 33458 US

Name and Address of New Registered Agent:

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

OFFICERS AND DIRECTORS:

Title: C
Name: BROADWAY, ROBERT
Address: 9067 SOUTHERN BLVD.
City-St-Zip: WEST PALM BEACH, FL 33411 US

Title: VC
Name: ELMORE, CRAIG
Address: 9067 SOUTHERN BLVD.
City-St-Zip: WEST PALM BEACH, FL 33411 US

Title: P
Name: VYMLATIL, RICHARD J
Address: 9067 SOUTHERN BLVD.
City-St-Zip: WEST PALM BEACH, FL 33411 US

Title: T
Name: FROST, JACK
Address: 9067 SOUTHERN BLVD.
City-St-Zip: WEST PALM BEACH, FL 33411 US

Title: S
Name: BUBIS, MICHAEL
Address: 9067 SOUTHERN BLVD.
City-St-Zip: WEST PALM BEACH, FL 33411 US

Title: AS
Name: FOSTER, JOHN FENN
Address: 4425 MILITARY TRAIL, SUITE 109
City-St-Zip: JUPITER, FL 33458 US

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: JOHN FENN FOSTER

S

03/22/2011

Electronic Signature of Signing Officer or Director

Date