

Meeting Date: October 27, 2009

Agenda Item 9
Memorandum No. 09-316

REQUESTED COMMISSION ACTION:

Consent Ordinance Resolution Consideration Workshop

SHORT TITLE OR MOTION: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM THE DIVINE MINISTRY OF GOD, NONDENOMINATIONAL, INC. TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

Applicant has obtained site plan approval in order to reconstruct a church and respective parking at 1875 NW 9th Street. As per Zoning Code Section 155.259, Adequate Rights-of-Way Required, and conditional to the approval of the site plan, the City of Pompano Beach requires an additional 5' of right-of-way along N.W. 9th Street. Attached is a copy of the survey and Quit Claim deed for this additional right-of-way.

After acceptance by the City, the deed will be recorded in the Broward County records.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Pastor Iry D. Herbert
- (2) Primary staff contact: Paola West / Robin Bird Ext. 7780
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE OR ATTACHED MEMO NUMBER
<u>Zoning Dept.</u>	<u>7/15/2009</u>	<u>Approval</u>	<u>NZ</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- Advisory Board
- Public Works Administrator
- Interim City Manager

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>	<u>Workshop</u>
<u>1st Reading</u>	<u>1st Reading</u>	<u>Results:</u>	<u>Results:</u>
_____	_____	_____	_____
<u>2nd Reading</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**CITY OF POMPANO BEACH
Broward County, Florida**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM THE DIVINE MINISTRY OF GOD, NONDENOMINATIONAL, INC. TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Divine Ministry of God, Nondenominational, Inc. is willing to convey to the City of Pompano Beach certain real property via Quit Claim Deed; and

WHEREAS, the City Commission has determined that the best interests of the public will be served by accepting and acquiring the rights being conveyed by the Quit Claim Deed; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City of Pompano Beach accepts the conveyances of real property from The Divine Ministry of God, Nondenominational, dated _____, 2009, a copy of which is attached hereto and incorporated by reference as if set forth in full.

SECTION 2. That it is the determination of the City Commission of the City of Pompano Beach, Florida, that the acquisition of the aforesaid property is for a public purpose, to wit: future right-of-way.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2009.

LAMAR FISHER, MAYOR

ATTEST:

MARY L. CHAMBERS, CITY CLERK

This Instrument Prepared By:
Gordon B. Linn, Esquire
P. O. Box 2083
Pompano Beach, Florida 33061

QUIT CLAIM DEED

Executed this 2nd day of September, 2009, by

THE DIVINE MINISTRY OF GOD, NONDENOMINATIONAL, INC., a corporation existing under the laws of the State of Florida, whose post office address is 301 W. 22nd Street, Riviera Beach, Florida 33404, first party, to

CITY OF POMPANO BEACH, a municipal corporation of the County of Broward, State of Florida, whose post office address is 100 W. Atlantic Boulevard, P. O. Box 2083, Pompano Beach, Florida 33061, second party, to

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the said first party, for and in consideration of the sum of TEN and No/100 DOLLARS (\$10.00) in hand paid by the second party, the receipt of which is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land situate, lying and being in the County of Broward, State of Florida, to-wit:

The South five (5) feet of the North twenty-five (25) feet of the South fifty (50) feet of the East one-half (E 1/2) of the East 169.3 feet of the West 294.2 feet of the Northeast one quarter (NE ¼) of the Southwest one-quarter (SW ¼) of the Northwest one-quarter (NW ¼) of Section 34, Township 48 South, Range 42 East, lying South of State Road 361, better known as Hammond Road

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title,

interest, lien, equity and claim whatsoever of said first party, either in law or equity, to the only proper use, benefit and behoof of said second party forever.

IN WITNESS WHEREOF, the first party has signed and sealed these presents the day and year first above written.

WITNESSES:

THE DIVINE MINISTRY OF GOD,
NONDENOMINATIONAL, INC.,
a Florida corporation

[Signature]

~~BY: [Signature]~~
IRYD. HERBERT, President/Director

Paola A. West
(Print or Type Name)

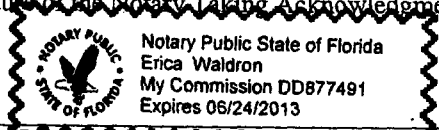
Salvatore C. Titto
SALVATORE A. TITTO

SALVATORE A. TITTO
(Print or Type Name)

STATE OF FLORIDA :
COUNTY OF BROWARD :

The foregoing instrument was acknowledged before me on this 2 day of Sept, 2009 by IRY D. HERBERT, as President/Director of THE DIVINE MINISTRY OF GOD, NONDENOMINATIONAL, INC., a Florida corporation. He is personally known to me or produced FLDL H6116400473210 as identification.

NOTARY SEAL:

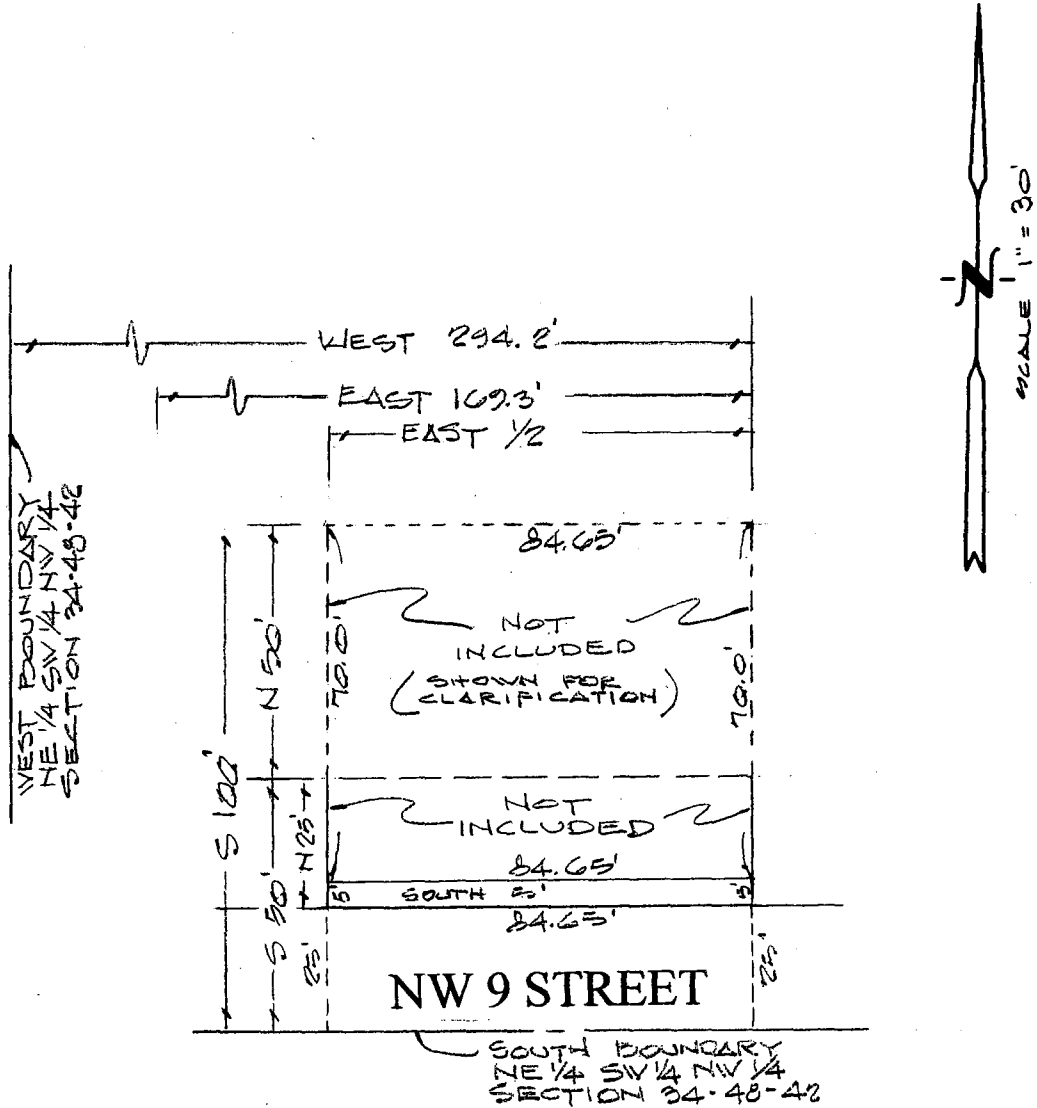
Erica Waldron
NOTARY PUBLIC, STATE OF FLORIDA
(Signature of the Notary Taking Acknowledgment)

(Name of Acknowledger Typed, Printed or Stamped)

DD877491
(Commission Number)

/jrm
l:realest/2009-1907

SKETCH OF DESCRIPTION

The South five (5) feet of the North twenty-five (25) feet of the South fifty (50) feet of the East one-half (E 1/2) of the East 169.3 feet of the West 294.2 feet of the Northeast one-quarter (NE 1/4) of the Southwest one-quarter (SW 1/4) of the Northwest one-quarter (NW 1/4) of Section 34, Township 48 South, Range 42 East, lying South of State Road 361, better known as Hammond Road.



JULY 29, 2009

Robert E. Perry
 Robert E. Perry, P.L.S.
 Florida Reg. No. 4254

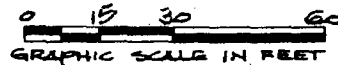
Robert E. Perry, Inc.

LAND SURVEYORS & PLANNERS

4931 NW 83 AVENUE · LAUDERHILL, FLA. 33351

TELE/FAX 954-742-5841

THIS IS NOT A SURVEY



JOB No 28751