

Meeting Date:

Agenda Item

July 12, 2011

1

REQUESTED COMMISSION ACTION:

Consent

Ordinance

Resolution

Consideration/  
Discussion

Presentation

SHORT TITLE

Approval to Transfer and Assign One Cemetery Plot from Robert S. Day  
Back to the City of Pompano Beach.

**Summary of Purpose and Why:** The Public Works Department has received a request from Robert S. Day to transfer Plot 11, in Lot 6, of Block 12 in the North Lawn back to the City. Mr. Day no longer needs this plot, as he will be buried in the Veteran's cemetery in Lake Worth, Florida.

- (1) Origin of request for this action: Staff
- (2) Primary staff contact: Robert A. McCaughan, Public Works Director Ext. 4097
- (3) Expiration of contract, if applicable: \_\_\_\_\_
- (4) Fiscal impact and source of funding: \$225 from Account 621-0000-364-10.00 Cemetery Lot Sales

DEPARTMENTAL  
COORDINATION

Public Works  
Finance  
Budget

DATE

6/17/11  
6/22/11  
7/11/11

DEPARTMENTAL  
RECOMMENDATION

APPROVE  
approve

DEPARTMENTAL HEAD SIGNATURE

Robert A. McCaughan  
S. DiBella

City Manager

James W. Beal

ACTION TAKEN BY COMMISSION:

Ordinance

Resolution

Consideration

Workshop

1<sup>st</sup> Reading

1<sup>st</sup> Reading

Results:

Results:

2<sup>nd</sup> Reading

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**TRANSFER AND ASSIGNMENT OF BURIAL RIGHT AGREEMENT**

I (we), Robert S. Day

(Assignor)

of 2645 S.E. 2nd Street, Pompano Beach, FL 33062 hereby

(Address)

assign, transfer and set over this date to The City of Pompano Beach

(Assignee)

right(s), title and interest in and to Burial Right Agreement(s) # 3679 entered into on the 14 day of September, 1995 between the City of Pompano Beach, a municipal corporation existing under

the laws of the State of Florida, and being in Broward County, Florida, and Robert S. Day

(Assignor)

(Said burial agreement(s) attached hereto) subject to all the terms and conditions thereof, and do hereby remise, release and quit-claim unto the said The City of Pompano Beach

(Assignee)

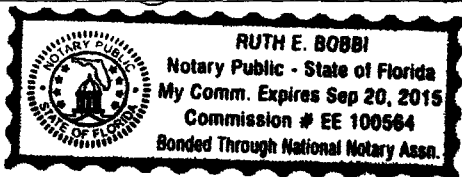
all my (our) right(s), title and interest in and to the Burial Right Agreement(s) described herein and agreed to be conveyed. Block 12 Lot(s) 6 Plot(s) 11 Lawn North

Robert S. Day  
(Assignor)

(Assignor)

Ruth E. Bobbi  
(Witness)

Subscribed and sworn to/affirmed before me on June 17th, 2011, by Robert S. Day who is personally known to me or has presented FL Driver's License as identification.



Ruth E. Bobbi  
Notary Public Ruth E. Bobbi

The City Commission of the City of Pompano Beach, Florida, hereby accepts the foregoing assignment of Burial Right Agreement(s), subject to all terms and conditions thereof.

Lamar Fisher, Mayor

ATTEST:

Mary L. Chambers, City Clerk

Pompano Beach Cemetery  
Burial Right Agreement

No 3679

THIS INDENTURE, made this 14th day of September, A.D. 19 95, between CITY OF POMPAÑO BEACH, a municipal corporation existing under the laws of the State of Florida, and being in Broward County, Florida, Party of the First Part, and Robert S. Day of the County of Broward and State of Florida Part y of the Second Part, whose address is 2645 S.E. 2nd Street Pompano Beach, Florida 33062

WITNESSETH, that the said Party of the First Part for and in consideration of the sum of \$ 225.00 to it in hand paid by the Part y of the Second Part, receipt of which is hereby acknowledged, does hereby give and grant to the said Part y of the Second Part, the exclusive and perpetual Right of Burial of the human dead in that certain parcel of land, situate, lying and being in Broward County, Florida, to wit: NORTH TAWN Block 12, Lot 6, of Plot 11 of POMPANO BEACH CEMETERY according to a plat thereof recorded in Plat Book 41, Page 40, of the public records of Broward County, Florida.

The right hereby granted and given shall be exercised and used in accordance with the Rules and Regulations of the Board of Trustees, governing such property now in existence, and as hereafter prescribed, altered or amended from time to time. The Party of the Second Part, by acceptance of this Burial Right Agreement, acknowledges that he or she has received a copy of the Rules and Regulations now in effect, and does agree that such rules and regulations may be amended or altered from time to time by the Board of Trustees, and as so amended will be valid and binding against the right herein given and granted. The Party of the Second Part does hereby agree that the premises above described shall remain under the perpetual care of the Party of the First Part in accordance with the Rules and Regulations now or hereafter in effect; and Party of the First Part hereby agrees that a true and correct copy of current Rules and Regulations in existence shall be kept in the office of the Cemetery Management for inspection by Party of Second Part at all reasonable times.

IN WITNESS WHEREOF, the said City of Pompano Beach has caused these presents to be signed in its name by its Mayor-Commissioner and City Manager and its corporate seal to be affixed, attested by its City Clerk the day and year above written.

PARTY OF THE SECOND PART  
By x Robert S Day  
By \_\_\_\_\_  
[Signature]  
WITNESS

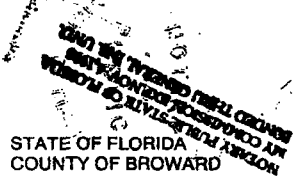
CITY OF POMPAÑO BEACH  
By [Signature]  
CITY MANAGER  
[Signature]  
MAYOR - COMMISSIONER

ATTEST  
[Signature]  
CITY AUDITOR - CLERK (SEAL)  
Signed, sealed and delivered in our presence:  
[Signature] WITNESS  
[Signature] WITNESS

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 19th September, 19 95 by Emma Lou Olson, as Mayor, of the City of Pompano Beach, a municipal Florida corporation, on behalf of the municipal corporation. He/She is personally known to me and he/she did/did not take an oath.

NOTARY'S SEAL:

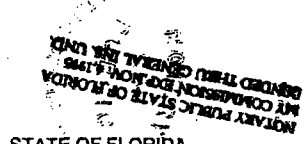


NOTARY PUBLIC, STATE OF FLORIDA  
(Signature of Notary Taking Acknowledgment)  
ADA M. GRAHAM  
(Name of Acknowledger Typed, Printed or Stamped)  
CC157598  
Commission Number

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 19th September, 19 95 by C. William Hargett, Jr., as City Manager, of the City of Pompano Beach, a municipal Florida corporation, on behalf of the municipal corporation. He/She is personally known to me and he/she did/did not take an oath.

NOTARY'S SEAL:

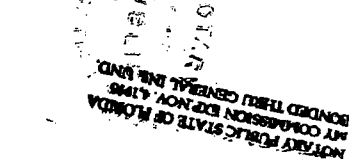


NOTARY PUBLIC, STATE OF FLORIDA  
(Signature of Notary Taking Acknowledgment)  
ADA M. GRAHAM  
(Name of Acknowledger Typed, Printed or Stamped)  
CC157598  
Commission Number

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 19th September, 19 95 by Mary L. Chambers, as City Clerk of the City of Pompano Beach, a municipal Florida corporation, on behalf of the municipal corporation. He/She is personally known to me and he/she did/did not take an oath.

NOTARY'S SEAL:



NOTARY PUBLIC, STATE OF FLORIDA  
(Signature of Notary Taking Acknowledgment)  
ADA M. GRAHAM  
(Name of Acknowledger Typed, Printed or Stamped)  
CC157598  
Commission Number

3679

6-17-11

TO: CITY COMMISSION OF POMPANO BCH. FL.  
I, ROBERT DAY WISH TO SELL MY PLOT BACK  
TO THE CITY OF POMPANO BCH. BECAUSE I WISH  
TO BE BURIED ALONG SIDE MY FELLOW VETERANS AT  
THE VETERANS CEMETARY IN LAKE WORTH, FL.

I HAVE SEARCHED IN VAIN FOR DEED #3679 BLOCK 12  
LOT 6 GRAVE 11, BUT TO MY CHAGRIN HAVE COME  
UP EMPTY HANDED. YOUR CONSIDERATION IN THIS MATTER  
WILL BE GREATLY APPRECIATED.

SINCERLY,  
Robert Day



# CASH PAYMENT REQUISITION

See document "Cash Payment Instructions " for allowable use

## CITY OF POMPANO BEACH

FINANCE DEPARTMENT USE ONLY	
VENDOR NUMBER	99
DUE DATE	6-22
<input type="checkbox"/>	SUSPENSE ACCTS-SUPERV APPROVAL(195.10-195.99)
<input type="checkbox"/>	REVENUE ACCTS-SUPERV APPROVAL(300.00-399.99)
<input type="checkbox"/>	AUTHORIZED SIGNER
<input type="checkbox"/>	10,000.00 & OVER MUST BE APPROVED BY SUPERV
<input type="checkbox"/>	SUPPORTING DOCUMENTATION ATTACHED
<input type="checkbox"/>	DUES, MEMBERSHIP OR SUBSCRIPTION
<input type="checkbox"/>	INCORRECT/INCOMPLETE RETURN TO DEPT
<input type="checkbox"/>	VENDOR MAINTENANCE
<input type="checkbox"/>	AUDITED/INPUT BY

NET AMOUNT \$225.00

DATE REQUESTED 6/20/2011

REQUESTED BY Reed Botti

AUTHORIZED SIGNATURE

Robert S. Day

SEPARATE CHECK REQUIRED  YES

CHECK TO GO TO DEPT  YES

REMIT TO NAME: Robert S. Day

REMIT TO ADDRESS: 2645 S.E. 2nd Street  
(Required)

Pompano Beach, Florida 33062  
CITY, STATE and ZIP CODE

INVOICE DATE	INVOICE NUMBER AND/OR DESCRIPTION
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Transfer of Cemetery Plot back to the City - Commission Meeting July 12, 2011

ACCOUNT DESCRIPTION	FUND	DEPT	DIV	SUB	EL	OBJ	AMOUNT
Cemetery Lot Sales	612	00	00	364	10	00	\$225.00

FINANCE DEPT  
2011 JUN 21 PM 1:40

RECEIVED