

ORDINANCE NO. 132

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA PROVIDING FOR THE DISPOSAL OF SURPLUS REAL PROPERTY OWNED BY THE TOWN: PROVIDING THE EFFECTIVE DATE THEREOF.

WHEREAS, the Town Council of the Town of Cinco Bayou, Florida desires to set forth procedures for the disposal of real property owned by the Town and determined by the Town Council to be surplus, and;

WHEREAS, pursuant to Section III (f) of the Town's Charter, the Town Council has the authority to dispose of such real property.

NOW, THEREFORE, on a motion duly made, seconded and unanimously approved, the following Ordinance is adopted by the Town Council of the Town of Cinco Bayou, Florida.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA THAT:

The Town Council shall follow the procedures as set forth herein for the disposal of surplus real property belonging to the Town;

1. The Town Council shall adopt a Resolution declaring a parcel of town-owned real estate to be surplus, and no longer needed to carry out the functions of the Town, and further declaring that it would be in the best interest of the citizens of the Town of Cinco Bayou, Florida to have the real estate sold and the proceeds therefrom used for other public purposes.

2. Upon the adoption of the required Resolution, the Town Council shall have an appraisal of the current fair market value of the land prepared by an independent appraiser who shall be a member of the American Institute of Appraisers. The property shall not be sold for less

than its fair market value as determined by the appraisal, unless such requirement is expressly waived by the Town Council.

3. The Town Council shall direct the Town Manager/Clerk to advertise for sealed bids from prospective purchasers for the subject real property which advertisement shall be published once a week for two consecutive weeks in a newspaper of general circulation where the property is located. The notice of taking bids shall describe the property by legal description and, if available, by street address and may include a minimum acceptable bid amount. The notice shall advise all perspective bidders that the Town Council reserves the right to reject any and all bids. No person shall acquire any right by reason of making any bid unless said bid shall be lawfully excepted by the Town. The opening of bids may not take place any sooner than fifteen (15) days after the first publication. The last publication shall be at least five (5) days before the bids are to be opened.

4. The Town Council shall accept and open sealed bids during a properly noticed meeting of the Town Council and shall have the discretion to either review all bids submitted, and the qualifications of bidders, for a period not to exceed ten (10) days, or may accept the bid during that meeting.

5. That upon the award of the bid to the highest and best bidder, the Town Council shall authorize and empower the Mayor to convey title in and to such property to the purchaser thereof and to execute a proper conveyance thereof.

This Ordinance shall become effective immediately upon its adoption.

Adopted this 27th day of July, 1989.



Approved:

Charles R. Laginess
CHARLES R. LAGINESS
Mayor

ATTEST:

Albert S. Borchik, Jr.
Albert S. BORCHIK, JR.
Town Manager/Clerk

(Cinco/Ordinance)