

RESOLUTION 2007-04

RESOLUTION SETTING FORTH THE POLICY AND PROCEDURES OF THE SPRING LAKE IMPROVEMENT DISTRICT BOARD OF SUPERVISORS WITH REGARD TO THE DESIGNATION OF SURPLUS REAL PROPERTY AND THE DONATION, CONVEYANCE, AND/OR SALE OF DISTRICT-OWNED SURPLUS REAL PROPERTY.

WHEREAS, the Spring Lake Improvement District (“District”) wishes to establish a policy and process regarding the designation, if applicable, of District-owned lands as surplus. Moreover, once District-owned real property (“land”) has been designated District Surplus Land(s), the District shall adhere to the policy and process outlined in this Resolution regarding the donation, conveyance, and/or sale of designated District-owned surplus property.

WHEREAS, the District policy outlined in this Resolution is intended to adhere to all statutory requirements, as amended from time to time, and further establish a process to ensure lands owned by the Spring Lake Improvement District that are designated as surplus are donated, conveyed, and/or sold in a manner which is in the best interest of the Spring Lake Improvement District, its residents and landowners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SPRING LAKE IMPROVEMENT DISTRICT, HIGHLANDS COUNTY, FLORIDA;

1. As set forth in this Resolution, the Spring Lake Improvement District, in accordance with Florida Law, authorizes the District Manager as necessary or per the request from any interested party (public or private) to prepare a list of potential District-owned lands which the District Manager feels is appropriate for the Board to consider to be designated as Surplus District Land.
2. The District Manager shall prepare or direct the preparation of a Resolution stating the intent for certain lands owned by the District to be designated as Surplus District Land(s). Accompanying the Resolution shall be an exhibit to the Resolution describing the lands recommended to be deemed Surplus District Land(s); (1) containing the name of the current owner of the property as on record with the Highlands County Property Appraiser, (2) the property owner’s mailing

address as on record with the Highlands County Property Appraiser, (3) the property/tax identification number as assigned by the Highlands County Property Appraiser, and (4) each District owned land to be designated as surplus shall minimally have the legal description and/or survey of the property to accompany the required information.

3. The District Board of Supervisors shall consider all, some, or none of the lands listed as eligible District Surplus Land. The Designation of certain District Surplus Land will only become effective with the passage of a Resolution Designating Surplus District Land(s) and the attached exhibit of land(s) approved.
4. If the Designated District Surplus Land(s) is to be donated or conveyed to the State of Florida, its agencies or subdivisions, Highlands County, a municipality, or any other form of local government in the State of Florida and State Law requires no further action, then the District will not conduct any additional bidding or solicitations of interested bidders.
5. (a) If the Designated District Surplus Land(s) is planned to be donated, conveyed, or sold to a private individual(s) or entity(ies) then no sale, conveyance, or donation of District Surplus Land(s) shall be made unless notice thereof is published once a week for at least two weeks in a newspaper of general circulation published in Highlands County calling for bids for the purchase of the real estate so advertised to be sold. In the case of a sale, the bid of the highest bidder complying with the terms and conditions set forth in such notice shall be accepted, unless the Board of Supervisors rejects all bids because they are too low. The Board of Supervisors may require a deposit to be made or a surety bond to be given, in such form or in such amount as the Board determines, with each Bid submitted.
(b) When the Board of Supervisors finds that a parcel of real property is of insufficient size and shape to be issued a building permit by Highlands County (or municipality if applicable) for any type of development to be constructed on the property or when the Board of Supervisors finds that the value of a parcel of real property is \$5,000 or less (Note: F.S. 125.35 requires County Government to adhere to a \$15,000 valuation), as determined by a fee appraiser designated by the Board or as determined by the County Property Appraiser, and when, due to the

size, shape, location, and value of the parcel, it is determined by the Board that the parcel is of use only to one or more adjacent property owners, the Board may, after sending notice of its intended action to owners of adjacent property by certified mail, effect a sale and conveyance of the parcel at private sale without receiving bids or publishing notice; however, if within 10 working days after receiving such mailed notice, two or more owners of adjacent property notify the Board of their desire to purchase the parcel, the Board shall accept sealed bids for the parcel from such property owners and may convey such parcel to the highest bidder or may reject all offers.

PASSED AND ADOPTED this 10th day of January, 2007.

Secretary/Assistant Secretary

Chairman/Vice-Chairman