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RESOLUTION NO. R2017- 53

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**A RESOLUTION OF WELLINGTON'S COUNCIL
AUTHORIZING THE SALE OF THE REAL PROPERTY
KNOWN AS THE WELLINGTON GREEN CIVIC TRACT
A/K/A THE "PARK AND RIDE" PROPERTY TO BIRCH
DEVELOPMENT, LTD.; AUTHORIZING THE MAYOR OR
VICE MAYOR AND THE VILLAGE CLERK TO EXECUTE
THE PURCHASE AND SALE AGREEMENT AND TO
EXECUTE ALL OTHER DOCUMENTS INCIDENT TO
CLOSING, AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, On March 28, 2017, the Village Council approved an amendment to the Wellington Green Master Plan to allow a conditional use hotel in MUPD B. A condition of the development order requires the developer, Birch Development, Ltd., to acquire the adjacent Park-n-Ride lot prior to issuance of the land development permit or building permit for the hotel; and

WHEREAS, The developer is working with Wellington and Palm Beach County to amend the Interlocal Agreement to allow for the sale of the lot to the developer and to transfer the obligations under the Interlocal Agreement to the developer; and

WHEREAS, because the lot was constructed using grant funds from FDOT, Wellington must reimburse FDOT for the contributed funds; and

WHEREAS, The agreed upon sales price for the Park-n-Ride lot is \$834,000.00, of which \$207,888.00 will be paid to FDOT and the net proceeds due Wellington will therefore be \$626,112.00.

NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S COUNCIL THAT:

SECTION 1. The foregoing recitals are hereby affirmed and ratified.

SECTION 2. The Wellington Council hereby adopts this Resolution approving the sale of the Park-N-Ride lot to Birch Development, Ltd., and authorizing the Mayor or Vice Mayor to execute the Purchase and Sale Agreement in the form attached hereto as Exhibit A and to further execute all documents incident to closing.

SECTION 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

1 **ATTEST:**

WELLINGTON

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4 By: _____
5 Chevelle D. Nubin, Secretary

By: _____
Anne Gerwig, President

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8 **APPROVED AS TO FORM**
9 **AND LEGAL SUFFICIENCY**

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12 By: _____
13 Laurie Cohen, Attorney for Acme Improvement
14 District

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