

By Senator Burt

16-340-01

1 A bill to be entitled
2 An act relating to the City of Daytona Beach,
3 Volusia County; providing for the lease of
4 certain submerged lands to the city by the
5 state; providing for the duration of the lease;
6 specifying the amount of the lease; providing
7 for the purpose of the lease; providing that
8 the lease is contingent upon the city's
9 acquisition of the pier situated upon the
10 leased lands; providing additional terms of the
11 lease; providing for severability; providing an
12 effective date.

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14 WHEREAS, the City of Daytona Beach has undertaken a
15 major downtown redevelopment effort designed to foster
16 economic enterprise, to enhance tourism, and to restore
17 certain historic city attributes, and

18 WHEREAS, the historic pier situated centrally within
19 the redevelopment area is a key feature of the redevelopment
20 endeavor and the lease of the submerged lands underlying the
21 pier to the City of Daytona Beach is an essential component
22 for this multi-faceted project, and

23 WHEREAS, it is the intention of the City of Daytona
24 Beach to acquire ownership of the pier and establish it as the
25 center point of the redevelopment project, and

26 WHEREAS, the Legislature finds that it is in the public
27 interest to provide for a lease of the lands underlying the
28 historic pier to the City of Daytona Beach for the purposes
29 stated in this act, NOW, THEREFORE,

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31 Be It Enacted by the Legislature of the State of Florida:

1 Section 1. The lessor, State of Florida, hereby leases
2 the following described property to the lessee, City of
3 Daytona Beach, Florida:

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5 A parcel of sovereign submerged land in Volusia
6 County, Florida, more particularly described
7 as:

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9 A portion of submerged land in the Atlantic
10 Ocean and adjacent to Block 2, Plan of
11 Seabreeze Subdivision as recorded in Deed Book
12 "O" Page 301, Public Records of Volusia County,
13 Florida, and being more particularly described
14 as follows. As a point of reference, commence
15 at the northeast corner of Block 5, said plan
16 of Seabreeze Subdivision, thence north 89
17 degrees 49 minutes 35 seconds east along the
18 southerly original right-of-way line of Main
19 Street and along its extension thereof, 488.65
20 feet more or less, to the mean high-water line
21 of the Atlantic Ocean beach and to the point of
22 beginning. Thence continue north 89 degrees 49
23 minutes 35 seconds east 1000.00 feet, thence
24 south 00 degrees 10 minutes 25 seconds east
25 240.30 feet, thence south 89 degrees 49 minutes
26 35 seconds west, 999.57 feet, more or less to
27 the aforementioned high-water line, thence
28 north 05 degrees 07 minutes 29 seconds west
29 along the said mean high-water line
30 approximately 142.80 feet to the point of
31 beginning.

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2 Section 2. The term of this lease commences on July 1,
3 2001, and terminates on June 30, 2051, unless extended by
4 further act of the Legislature. During the term of this lease,
5 the lessee shall pay the sum of \$5,000 annually to the Board
6 of Trustees of the Internal Improvement Trust Fund, which
7 shall be used to monitor and administer the provisions of this
8 lease.

9 Section 3. The submerged lands described in this act
10 are leased for the purpose of furthering the city's downtown
11 redevelopment initiative, including the city's acquisition of
12 the historic pier situated upon the leased lands. If the city
13 is unable to acquire the historic pier or, once having
14 purchased the pier, relinquishes ownership, this lease is
15 void.

16 Section 4. This lease is specifically contingent upon
17 the City of Daytona Beach acquiring ownership of the pier, and
18 this lease does not become effective unless and until such
19 acquisition is secured.

20 Section 5. This lease may not be assigned or otherwise
21 transferred without further legislative action.

22 Section 6. The lessee must at all times comply with
23 all laws of this state and all administrative rules adopted
24 under state law which are not inconsistent with this act.

25 Section 7. If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 invalidity does not affect other provisions or applications of
28 the act which can be given effect without the invalid
29 provision or application, and to this end the provisions of
30 this act are severable.

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1 Section 8. This act shall take effect upon becoming a
2 law.
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