

HB 1077

2005

1                                   A bill to be entitled  
 2           An act relating to the Canaveral Port District, Brevard  
 3           County; amending chapter 2003-335, Laws of Florida;  
 4           amending the powers and duties of the Canaveral Port  
 5           District, an independent special district in Brevard  
 6           County, to authorize the district to sell or otherwise  
 7           dispose of certain real property; providing the procedure  
 8           for such sale or other disposition; providing an effective  
 9           date.

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

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13           Section 1. Section 25 is added to Article IV of section 3  
 14 of chapter 2003-335, Laws of Florida, to read:

15           Section 25. (a) The Canaveral Port Authority is  
 16 authorized to sell or otherwise convey or dispose of any lands  
 17 or any interests or rights in lands to which the District  
 18 acquired title after January 1, 1987, or to which it may  
 19 hereafter acquire title, whenever the Canaveral Port Authority  
 20 determines it is in the best interest of the District to do so  
 21 at the best price and terms obtainable, for such terms and  
 22 conditions as the Canaveral Port Authority may in its discretion  
 23 determine. The power to sell or otherwise convey granted herein  
 24 specifically includes the power by the District to enter into  
 25 public partnerships regarding District lands upon such terms and  
 26 conditions as the Canaveral Port Authority may in its discretion  
 27 determine. However, any conveyance or agreement must be for a  
 28 public purpose.

29           (1) All sales of land, interests, or rights in land, or

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30 the lease of any interests in land, shall be for cash or upon  
 31 terms and security to be approved by the Canaveral Port  
 32 Authority. No deed shall be executed and delivered for any sale  
 33 until full payment is made and received by the District.

34 (2) Before selling or disposing of any land or any  
 35 interest or rights in and to any land, it shall be the duty of  
 36 the District to cause a notice of intention to sell or dispose  
 37 of the land to be published in a newspaper of general  
 38 circulation published in Brevard County no less than once each  
 39 week for 2 successive weeks. The first publication shall be not  
 40 less than 15 days nor more than 30 days prior to the meeting at  
 41 which the proposed sale or disposition will be considered. The  
 42 notice shall set forth a description of the lands or interests  
 43 or rights in lands offered for sale or other disposition.

44 (3) Deeds of conveyance of lands, the titles to which are  
 45 held by the District or in the name of the Canaveral Port  
 46 Authority, shall be by special warranty deed.

47 (4) All deeds of conveyance held by the District or by the  
 48 Canaveral Port Authority shall convey only the interest of the  
 49 District or the Canaveral Port Authority in the property covered  
 50 thereby.

51 (b) The Canaveral Port Authority may exchange lands or  
 52 interests or rights in lands owned and acquired by the District  
 53 after January 1, 1987, or lands or interests or rights in said  
 54 lands for which title is otherwise vested in the District, for  
 55 other lands or interests or rights in lands within the state  
 56 owned by any person. The Canaveral Port Authority shall fix the  
 57 terms and conditions of any such exchange and may pay or receive  
 58 any sum of money that the Canaveral Port Authority considers

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59 necessary to equalize the values of exchanged properties. Before  
60 any exchange of property is effected, notice of the meeting at  
61 which said exchange is considered shall be published in a  
62 newspaper of general circulation published in Brevard County  
63 prior to the adoption by the Canaveral Port Authority of a  
64 resolution authorizing the exchange of properties. Notice shall  
65 be published at least once not less than 7 days nor more than 14  
66 days prior to the meeting at which the resolution will be  
67 considered.

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