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HB 1077

2005 Legislature

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.