Florida Senate - 2005

(NP)

By Senator Haridopolos

26-1153A-05

1	A bill to be entitled
2	An act relating to the Canaveral Port District,
3	Brevard County; amending chapter 2003-335, Laws
4	of Florida; amending the powers and duties of
5	the Canaveral Port District, an independent
б	special district in Brevard County, to
7	authorize the district to sell or otherwise
8	dispose of certain real property; providing the
9	procedure for such sale or other disposition;
10	providing an effective date.
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12	Be It Enacted by the Legislature of the State of Florida:
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14	Section 1. Section 25 is added to Article IV of
15	section 3 of chapter 2003-335, Laws of Florida, to read:
16	Section 25. (a) The Canaveral Port Authority is
17	authorized to sell or otherwise convey or dispose of any lands
18	or any interests or rights in lands to which the District
19	acquired title after January 1, 1987, or to which it may
20	hereafter acquire title, whenever the Canaveral Port Authority
21	<u>determines it is in the best interest of the District to do so</u>
22	at the best price and terms obtainable, for such terms and
23	conditions as the Canaveral Port Authority may in its
24	discretion determine. The power to sell or otherwise convey
25	granted herein specifically includes the power by the District
26	to enter into public partnerships regarding District lands
27	upon such terms and conditions as the Canaveral Port Authority
28	may in its discretion determine. However, any conveyance or
29	<u>agreement must be for a public purpose.</u>
30	(1) All sales of land, interests, or rights in land,
31	or the lease of any interests in land, shall be for cash or
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1	upon terms and security to be approved by the Canaveral Port
2	Authority. No deed shall be executed and delivered for any
3	sale until full payment is made and received by the District.
4	(2) Before selling or disposing of any land or any
5	interest or rights in and to any land, it shall be the duty of
6	the District to cause a notice of intention to sell or dispose
7	of the land to be published in a newspaper of general
8	circulation published in Brevard County no less than once each
9	week for 2 successive weeks. The first publication shall be
10	not less than 15 days nor more than 30 days prior to the
11	meeting at which the proposed sale or disposition will be
12	considered. The notice shall set forth a description of the
13	lands or interests or rights in lands offered for sale or
14	other disposition.
15	(3) Deeds of conveyance of lands, the titles to which
16	are held by the District or in the name of the Canaveral Port
17	Authority, shall be by special warranty deed.
18	(4) All deeds of conveyance held by the District or by
19	the Canaveral Port Authority shall convey only the interest of
20	the District or the Canaveral Port Authority in the property
21	covered thereby.
22	(b) The Canaveral Port Authority may exchange lands or
23	interests or rights in lands owned and acquired by the
24	District after January 1, 1987, or lands or interests or
25	rights in said lands for which title is otherwise vested in
26	the District, for other lands or interests or rights in lands
27	within the state owned by any person. The Canaveral Port
28	Authority shall fix the terms and conditions of any such
29	exchange and may pay or receive any sum of money that the
30	Canaveral Port Authority considers necessary to equalize the
31	values of exchanged properties. Before any exchange of

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property is effected, notice of the meeting at which said exchange is considered shall be published in a newspaper of general circulation published in Brevard County prior to the adoption by the Canaveral Port Authority of a resolution authorizing the exchange of properties. Notice shall be published at least once not less than 7 days nor more than 14 days prior to the meeting at which the resolution will be considered. Section 2. This act shall take effect upon becoming a law.

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