

MEMORANDUM

To: Honorable Mayor and Council Members

From: Chester Murray, City Manager

Date: April 21, 2008

Re: Property Interest of West Volusia Chamber of Commerce (Chamber)

Purpose:

To adopt Resolution No. 542-09 providing for termination of any possessory interest the Chamber may have pertaining to the building located on City property at 520 N. Volusia Ave and to authorize compensating the Chamber \$80,000, representing one-half of the appraised value of the building.

Background:

The Chamber may have or claim some possessory interest in the building located at 520 N. Volusia Ave. The Chamber built the building on this City property in 1979. The Chamber has recently vacated the building. Currently, the Chamber is experiencing financial difficulties and has asked the City to compensate/reimburse them a portion of the money the Chamber invested in the construction of the building. As previously mentioned, staff notes that the Chamber has been a valuable resource to the City and West Volusia. At the March 10th regular council meeting the City Council agreed to accommodate the Chamber's request upon receipt of an appraisal of the building. The City has received the appraisal (\$160,000) and it is recommended to provide payment not to exceed \$80,000 of which \$40,000 will be paid prior to 9/30/09 and the remaining \$40,000 would be paid during the Fiscal Year 09/10.

Recommendation:

Staff respectfully requests Council's approval of Resolution No. 542-09.

RESOLUTION NO. 542-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, AUTHORIZING THE CITY TO COMPENSATE THE WEST VOLUSIA CHAMBER OF COMMERCE FOR CONVEYANCE TO THE CITY OF ITS INTEREST, IF ANY, IN A BUILDING CONSTRUCTED ON CITY PROPERTY BY THE WEST VOLUSIA CHAMBER OF COMMERCE; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the West Volusia Chamber of Commerce agrees to and shall relinquish any and all interests in a building constructed on City property and located at 520 N. Volusia Avenue, Volusia County Property Appraiser Parcel Number 8011-08-22-0097, Orange City, Florida, and

WHEREAS, it is the desire of the City Council of the City of Orange City, Florida, to accept from the West Volusia Chamber of Commerce a quit claim deed/bill of sale releasing any interest the West Volusia Chamber of Commerce may have in and to said property and improvements, and

WHEREAS, it is the desire of the City Council of the City of Orange City, Florida, to compensate the West Volusia Chamber of Commerce one-half of the appraised value of the building, or \$80,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:

SECTION 1. That the City Manager or his designee is hereby authorized to execute any and all documents necessary with the West Volusia Chamber of Commerce to terminate any Chamber interest in the aforescribed property and building and to compensate the West Volusia Chamber of Commerce, as aforescribed, upon the execution of the necessary documents provided in section 2 herein.

SECTION 2. In turn, the West Volusia Chamber of Commerce shall relinquish any and all interest it may have in the property located at 520 N. Volusia Avenue, Volusia County Property Appraiser Parcel Number 8011-08-22-0097, Orange City, Florida, and the improvements constructed thereon.

SECTION 3. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 4. That this Resolution shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS:

Jim Mahoney	_____	Donald C. Sherrill	_____
Paul Rasch	_____	Tom Abraham	_____
Tom Laputka	_____	Jeff H. Allebach, Vice Mayor	_____
Harley Strickland, Mayor	_____		

ADOPTED THIS _____ DAY OF _____, 2009.

ATTEST:

AUTHENTICATED:

Deborah J. Renner, CMC, City Clerk

Harley Strickland, Mayor

This Resolution approved
as to form and legal sufficiency:

W. E. Reischmann, City Attorney