

RESOLUTION NUMBER 21-37

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ACCEPTING THE OFFER OF TPI-FMB I, LLC TO CONVEY THE REAL PROPERTY LOCATED AT 1054 FIFTH STREET, FORT MYERS BEACH FL. 33931 (STRAP NO. 24-46-23-W3-00206.0050) TO THE TOWN, AND AUTHORIZING TOWN STAFF TO TAKE ALL STEPS NECESSARY TO COMPLETE THE TRANSFER OF THE PROPERTY TO THE TOWN OF FORT MYERS BEACH; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, TPI-FMB I, LLC, (“TPI”) has offered to convey the property located at 1054 Fifth Street, Fort Myers Beach (Strap No. 24-46-23-W3-00206.0050) (“Property”) to the Town of Fort Myers Beach (“Town”); and

WHEREAS, the Town believes it is in the best interest of its business owners, residents, and visitors to accept TPI’s offer.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The above recitals are true and correct, and incorporated herein by this reference and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town accepts TPI’s offer to convey the Property to the Town and authorizes the Town Attorney and Town Manager to take all steps necessary to complete the transfer of the Property to the Town, subject to title to the Property being clear of any encumbrances, liens, and/or title defects. Thereafter, and subject to approval and consent of the Town Council, the Property may be used for any valid municipal purpose including – but not limited to – a temporary construction storage yard or placement of a temporary community outreach facility by the Lee County Sheriff’s Office.

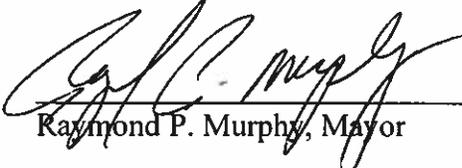
Section 3. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

THE FOREGOING RESOLUTION was adopted by the Town Council upon motion by Council Member Veach and seconded by Vice Mayor Hosafros, and upon being put to a vote, the result was as follows:

Raymond P. Murphy, Mayor	aye
Rexann Hosafros, Vice Mayor	aye
Dan Allers, Council Member	aye
Jim Atterholt, Council Member	aye
Bill Veach, Council Member	aye

ADOPTED this 2nd day of August 2021 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH



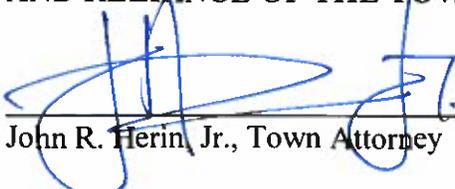
Raymond P. Murphy, Mayor

ATTEST:



Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**



John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 2 day of August 2021.