

RESOLUTION 2010-21

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, AUTHORIZING THE CONDITIONAL TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY FROM THE CITY OF LAKE WALES TO THE HISTORIC LAKE WALES SOCIETY, INC.; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Lake Wales owns certain real and personal property of a historical nature; and

WHEREAS, the current economic climate has caused a downturn in revenues which preclude the City's continued funding of the operation, maintenance and repair of the historical facilities; and

WHEREAS, the properties which are the subject of this Resolution have for many years been operated by the Historic Lake Wales Society, Inc; and

WHEREAS, the Historic Lake Wales Society, Inc., has expressed a willingness to take on the responsibility of the continuing operation, maintenance and repair of the historical facilities which are the subject of this Resolution; and

WHEREAS, the Lake Wales City Commission has expressed a willingness to transfer the subject real and personal property to the Historic Lake Wales Society, Inc., in order that it be preserved for the benefit of the citizens of Lake Wales by the Historic Lake Wales Society, Inc.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Lake Wales, Florida:

SECTION 1. FINDINGS. It is in the interest of the citizens of the City of Lake Wales that certain historic real and personal property of the City be given and transferred to the Historic Lake Wales Society, Inc., in order to provide for its continuing use and preservation for the benefit of the public. A list of the property which is the subject of this Resolution is attached hereto and made a part hereof as Exhibit "A".

SECTION 2. CONSIDERATION. As consideration for the transfer of the subject property to the Historic Lake Wales Society, Inc., the said Society will be required to operate and maintain the property for the benefit of the public in perpetuity.

SECTION 3. ACCEPTANCE CREATES NO OBLIGATION FROM THE CITY. Acceptance of the subject properties by the Historic Lake Wales Society, Inc., shall in no way obligate the City to provide funding or otherwise provide for the continued operation, maintenance and repair of the subject properties and acceptance will be subject to an easement or easements to be determined for municipal purposes.

SECTION 4. AUTHORIZATION TO ACCOMPLISH TRANSFER. Upon approval of this Resolution, the City Attorney is authorized to prepare an appropriate instrument or instruments for the purpose of effecting the contemplated transfer and the Mayor is authorized to execute the instruments. The Historic Lake Wales Society, Inc., shall provide an inventory of all personal property to be transferred in addition to that described in Exhibit "A" attached hereto.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

APPROVED AND ADOPTED by the City Commission of the City of Lake Wales, Florida, this 21st day of September, 2010.

By: L. Jack Van Sickle
L. Jack Van Sickle, Mayor

Attest: Clara VanBlargan
Clara VanBlargan, City Clerk

EXHIBIT "A" TO RESOLUTION 2010-21

REAL PROPERTY:

1. The Stuart-Dunn-Oliver House located on the following described real property:

Lot 14, Block 37, TOWN OF LAKE WALES, as recorded in Plat Book 1, at pages 88A and 88B, of the Public Records of Polk County, Florida.

2. The Depot Museum located on the following described real property:

That certain property conveyed to the City of lake Wales by the Seaboard Coast Line Railroad Company by instrument dated December 26, 1975, and recorded February 26, 1976, in Official Records Book 1680, at Page 456, of the Public Records of Polk County, Florida.

PERSONAL PROPERTY:

3. The Engine, Train Car, Caboose and fencing located at the Depot Museum.
4. The Children's Museum located North of the Depot Museum.
5. The 1916 SAL depot located North of the Children's Museum.