

RESOLUTION 19 -

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA ACCEPTING THE CLERK'S REPORT ON THE DONATION OF ALACHUA COUNTY SURPLUS PROPERTY TO GRACE MARKETPLACE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Alachua County, a Charter County pursuant to Article VIII, Section 1(g), of the Florida Constitution, has all powers of local self-government not inconsistent with general law or with special law approved by vote of the electors; and

WHEREAS, Section 274.05, *Florida Statutes*, provides that a governmental unit may declare as surplus any of its property, which is not otherwise lawfully disposed of, that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function, and provides for a method of disposal of such property; and

WHEREAS, Section 274.06, *Florida Statutes*, provides an alternate procedure for disposing of surplus property; and

WHEREAS, Resolution 94-34 authorizes and delegated to the Clerk of the Circuit Court of Alachua County, Florida (the "Clerk") the authority to declare as surplus such property owned by the Board of County Commissioners of Alachua County, Florida (the "Board"), the Alachua County Clerk of Court, the Alachua County Property Appraiser, the Alachua County Tax Collector, and the Alachua County Supervisor of Elections, which property is obsolete or the continued use of which is uneconomical or inefficient or which serves no useful purpose; and

WHEREAS, Resolution 94-34 also authorizes and delegates to the Clerk the authority to dispose of surplus property in accordance with either Section 274.05 or Section 274.06, *Florida Statutes*; and

WHEREAS, Section 274.05, *Florida Statutes*, by and through the authority delegated to the Clerk by Resolution 94-34, authorizes the Clerk to offer surplus property to private nonprofit agencies as defined in Section 273.01(3), *Florida Statutes*, by sale or donation; and

WHEREAS, GRACE Marketplace is a Florida Not for Profit organization as defined in Section 273.01(3), *Florida Statutes*, whose principal mission is the relief of human suffering and poverty by providing a one stop homeless facility serving Gainesville and Alachua County for anyone experiencing or at risk of homelessness; and

WHEREAS, pursuant to the authority delegated to the Clerk by Resolution 94-34, the Clerk declared the property listed on **Exhibit A** to be surplus and donated same to Grace Marketplace; and

WHEREAS, Resolution 94-34 requires the Clerk to provide a report to the Board on the disposal of all surplus property and to ensure that the disposal report is recorded in the minutes of the Board; and

WHEREAS, Section 274.07, *Florida Statutes*, requires that the authority for the disposal of surplus property be recorded in the minutes of the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

1. As authorized by Chapter 274, *Florida Statutes*, and Resolution 94-34, the Clerk has disposed of certain surplus property of the County described in **Exhibit A**, which is attached hereto and incorporated hereto.
2. The Clerk will adjust the property records of Alachua County to reflect the lawful disposition of the property listed on **Exhibit A**.
3. By adoption of this resolution, the Board accepts the Clerk's report on the disposal of the surplus property and directs the Clerk to record this resolution, including **Exhibit A**, in the minutes of the Board.

4. This resolution shall take effect immediately upon its adoption.

Duly adopted in regular session, this 22nd day of October, A.D., 2019.

**BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA**

By: _____
Charles Chestnut IV, Chair

ATTEST:

APPROVED AS TO FORM:

J. K. "Jess" Irby, Esq.
Clerk
(SEAL)

Alachua County Attorney's Office