

RESOLUTION
NO. 2022-069

A RESOLUTION
TO BE ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA AUTHORIZING THE EXECUTION OF A CORRECTIVE SPECIAL WARRANTY DEED RELATING TO THE SALE OF REAL PROPERTY BY PENSACOLA-ESCAMBIA GOVERNMENTAL CENTER AUTHORITY TO THE SCHOOL BOARD OF ESCAMBIA COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pensacola-Escambia Governmental Center Authority ("PEGCA") was a special dependent district created by the State legislature to acquire, construct, improve, operate, maintain, and manage real properties comprising the governmental center complex for use and occupancy by City of Pensacola and Escambia County for their agencies and departments;

WHEREAS, PEGCA sold certain parcels of real property to the School Board of Escambia County on March 20, 2002, pursuant to its authority granted by the state legislature;

WHEREAS, the state legislature enacted Ch. 2003-350, Laws of Florida, on January 2, 2004, abolishing the PEGCA and transferring title to its assets and liabilities to the City of Pensacola and Escambia County jointly;

WHEREAS, the sale of the real property by PEGCA to the School Board of Escambia County was accomplished by Special Warranty Deed utilizing an incorrect legal description;

WHEREAS, the same real property is the subject of a sale to 200 West Garden, LLC, a Louisiana limited liability company, for the purpose of developing the real property for residential condominiums;

WHEREAS, the City of Pensacola has been requested to execute a Corrective Special Warranty Deed so that the title can be cleared and 200 West Garden, LLC can be issued title insurance.

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

Section 1. The Corrective Special Warranty Deed, a copy of which is attached, shall be executed by the City of Pensacola, which is the joint transferee of the assets and liabilities of the abolished PEGCA.

Section 2. The Mayor is authorized to execute the Corrective Special Warranty Deed on behalf of the City of Pensacola with attestation by the City Clerk.

Section 3. A certified copy of this Resolution shall be recorded in the Official Records Book, of the Public Records of Escambia County, Florida together with the Corrective Special Warranty Deed to be executed by the Mayor.

Section 4. This resolution shall on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk

Prepared by and return to:
Kerry Anne Schultz, Esquire
Schultz Law Group, P.L.L.C.
2779 Gulf Breeze Parkway
Gulf Breeze, Florida 32563

*****This Special Corrective Warranty Deed corrects the error in the legal description in that certain Special Warranty Deed recorded in Official Records Book 528 at Page 1695 of the Official Records of Escambia County, Florida.***

CORRECTIVE SPECIAL WARRANTY DEED

This Corrective Special Warranty Deed, made between the City of Pensacola, a municipal corporation and the statutory joint transferee of the assets and liabilities of the Pensacola-Escambia Governmental Center Authority, a special dependent district abolished by Chapter 2003-350 Laws of Florida, effective January 2, 2004, (“Grantor”), whose address is 222 W Main Street, Pensacola, Florida 32502 and The School Board of Escambia County, Florida, a body corporate of the State of Florida, (“Grantee”), whose address is 215 West Garden Street, Pensacola, Florida 32501, witnessed, that Grantor, for and in consideration of the sum of \$10.00 Dollars, to it in hand paid by Grantee, the receipt whereof is hereafter acknowledged, has granted, bargained and sold Grantee, its successors and assigns forever, that certain real property in Block 4, Donelson Tract, in the City of Pensacola, Escambia County, Florida, more particularly described in Exhibit “A” hereto.

And Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all person whomsoever claiming by, through, or under Grantor.

IN WITNESS WHEREOF, Grantor, in pursuance of action taken by Grantor in official session on July 21, 2021, has executed these presents, causing its name to be signed by its Mayor and its seal to be affixed this _____ day of _____, 2022.

Signed, sealed and delivered in the presence of:

WITNESSES: City of Pensacola, a municipal corporation in Escambia County, Florida

By: _____
Grover C. Robinson, IV, Mayor

Print Name: _____
Attest:

By: _____
Ericka Burnett, City Clerk

Print Name: _____

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this _____ day of _____, 2022, by Grover C. Robinson, as Mayor of the City of Pensacola, a municipal corporation, in Escambia County, Florida, and by Ericka Burnett, as City Clerk of the City of Pensacola, a municipal corporation, in Escambia County, Florida, who personally appeared before me and who are personally known to me or has produced _____ as identification.

NOTARY PUBLIC

EXHIBIT "A"

PARCEL 1:

COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF GARDEN STREET (150' R/W) WITH THE EAST RIGHT OF WAY LINE OF REUS STREET (50' R/W); THENCE NORTH 80 DEGREES 12'33" EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF GARDEN STREET FOR A DISTANCE OF 183.50 FEET TO EAST LINE OF PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 2416 AT PAGE 367 OF THE PUBLIC RECORDS OF SAID COUNTY FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 80 DEGREES 12'33" EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF GARDEN STREET FOR A DISTANCE OF 503.70 FEET TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SPRING STREET, RIGHT OF WAY WIDTH VARIES; THENCE SOUTH 09 DEGREES 42'05" EAST (THIS COURSE AND THE NEXT TWO COURSES ALONG THE WEST RIGHT OF WAY LINE OF SPRING STREET) FOR A DISTANCE OF 294.79 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 230.00 FEET, AND DELTA ANGLE OF 30 DEGREES 00'03"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR AN ARC DISTANCE OF 120.43 FEET (CHORD BEARING OF SOUTH 05 DEGREES 17'57" WEST, CHORD DISTANCE OF 119.06 FEET) TO THE POINT OF TANGENCY; THENCE SOUTH 20 DEGREES 17'55" WEST FOR A DISTANCE OF 81.47 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF ROMANA STREET (45' R/W); THENCE SOUTH 80 DEGREES 12'18" WEST ALONG SAID NORTH RIGHT OF WAY LINE OF ROMANA STREET FOR A DISTANCE OF 296.24 FEET TO THE EAST LINE OF PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 3380 AT PAGE 682 OF THE PUBLIC RECORDS OF SAID COUNTY, ALSO BEING THE WEST LINE OF PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 1081 AT PAGE 259 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 09 DEGREES 41'25" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 240.13 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 16, BLOCK 4, OF THE DONELSON TRACT IN THE CITY OF PENSACOLA ACCORDING TO THE MAP OF PENSACOLA COPYRIGHTED BY THOMAS C. WATSON IN 1906, ALSO BEING THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 27, SAID BLOCK 4; THENCE SOUTH 80 DEGREES 12'26" WEST ALONG SAID EASTERLY EXTENSION AND SOUTH LINE FOR A DISTANCE OF 140.78 FEET TO THE WEST LINE OF PARCELS DESCRIBED IN OFFICIAL RECORD BOOK 2290 AT PAGE 801, OFFICIAL RECORD BOOK 2411 AT PAGE 258, AND OFFICIAL RECORD BOOK 6471 AT PAGE 1123 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 09 DEGREES 51'44" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 116.02 FEET TO THE NORTH LINE OF SAID PARCELS DESCRIBED IN OFFICIAL RECORD BOOK 2411 AT PAGE 258 AND OFFICIAL RECORD BOOK 6471 AT PAGE 1123; THENCE NORTH 80 DEGREES 08'16" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 5.50 FEET TO THE EAST LINE SAID PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 2416 AT PAGE 367; THENCE NORTH 09 DEGREES 51'44" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 124.10 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND BEING A PORTION OF DONELSON TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA.