

RESOLUTION 2018- 67 A

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, CONVEYING REAL PROPERTY LOCATED AT 3163 BAILEY ROAD, FERNANDINA BEACH TO THE COMMERCIAL RANGE AT AMELIA, LLC AND RECEIVING REAL PROPERTY LOCATED AT 86200 GENE LASSERRE BOULEVARD, YULEE, FLORIDA FROM THE COMMERCIAL RANGE AT AMELIA, LLC PURSUANT TO CONTRACT NUMBERS CM2247 & CM2412.

WHEREAS, the Nassau County Board of County Commissioners, a political subdivision of the State of Florida (“Nassau County”) and The Commercial Range at Amelia, LLC, a Florida limited liability company (“Range”) entered into that certain Agreement for Exchange of Real Property dated October 12, 2015 and known as CM2247 (the “Exchange Agreement”) which contemplated the exchange of property by and between Nassau County and Range pursuant to § 125.37, Fla. Stat. and Resolution 2015-129, within which is described certain work to be performed by Range known as the Tradeplex Property Improvements;

WHEREAS, Nassau County and Range entered into that certain Agreement dated March 27, 2017 and known as CM2412 (the “Second Agreement”) which more particularly described work to be done by Range relating to a New Public Road, as defined therein;

WHEREAS, Range, has substantially completed the Tradeplex Property Improvements and the New Public Road (collectively, the “Work”) and Nassau County has inspected the Work and has accepted it as finally complete and satisfactory in every aspect, evidenced by the issuance of a Certificate of Occupancy dated May 11, 2018 regarding the Tradeplex Property Improvements and Certificate of Substantial Completion dated March 8, 2018 for the New Public Road, subject to a Post-Closing Agreement dated May 14, 2018 and known as CM2559

wherein certain matters are addressed, including, among other things, the relocation of the Recycling Facility and the removal of Hurricane Debris, both being defined therein;

WHEREAS, Range has assigned or will assign all contractor's and subcontractor's warranties to Nassau County, as provided in the Exchange Agreement;

WHEREAS, Range has met all requirements for Project Close-out as defined in the Second Agreement; and

WHEREAS, Range and Nassau County have met, or will meet, all of their respective obligations under the Exchange Agreement and Second Agreement, and are otherwise prepared to close the transaction in accordance therewith on May 15, 2018.

NOW, THEREFORE, BE IT RESOLVED, by Nassau County that:

SECTION 1. Recitals. The recitals set forth in the preamble to this resolution are true, accurate, and incorporated herein by reference as though set forth in full hereunder.

SECTION 2. Authority. This Resolution is adopted pursuant to the laws of the State of Florida and other applicable provisions of law.

SECTION 3. Findings. Nassau County hereby finds, determines, and declares as follows:

A. The Board is the elected legislative body of Nassau County, and has jurisdiction over all matters related hereto.

B. The Board finds that Range has finally and fully completed all of the Work defined in both the Exchange Agreement and the Second Agreement to Nassau County's complete satisfaction and Nassau County accepts the Work in its current condition, subject to the Post Closing Agreement and any other obligations which may survive the closing.

C. In exchange for Range meeting its obligations as stated above, Nassau County has agreed to release and convey all of the County's rights, title and interest in and to that certain real property defined as the County Property in the Exchange Agreement and generally located at 3163 Bailey Road to Range.

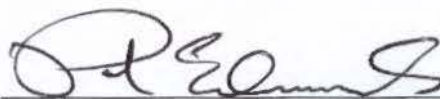
D. Likewise, in exchange for Nassau County meeting its obligations as stated above, Range has agreed to release and convey all of Range's rights title and interest in that certain real property defined as the Tradeplex Property in the Exchange Agreement, along with that certain property defined as the New Public Road property in the Second Agreement, and generally located at 86200 Gene Lasserre Boulevard to Nassau County.

SECTION 4. Acceptance and Authorization to Sign Conveyance Documents. Pursuant to the Exchange Agreement and Second Agreement, the Board is authorized to accept and execute all documents necessary to effectuate the release and conveyance of the Tradeplex Property, the County Property and the New Road, and hereby authorizes the Chairman as its designated authority to execute same.

SECTION 5. Effective Date. This Resolution shall take effect immediately upon adoption.

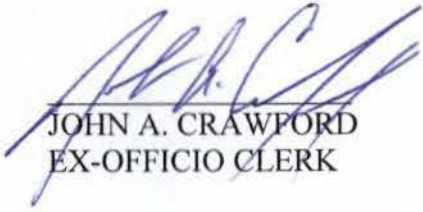
PASSED AND ADOPTED this 14th day of May, 2018.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



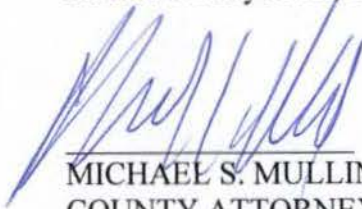
PAT EDWARDS
CHAIRMAN

ATTEST AS TO CHAIRMAN'S
SIGNATURE:



JOHN A. CRAWFORD
EX-OFFICIO CLERK

Approved as to form by the
Nassau County Attorney:



MES
05-16-18

MICHAEL S. MULLIN
COUNTY ATTORNEY