

House Bill No. 1077

An act relating to the Canaveral Port District, Brevard County; amending chapter 2003-335, Laws of Florida; amending the powers and duties of the Canaveral Port District, an independent special district in Brevard County, to authorize the district to sell or otherwise dispose of certain real property; providing the procedure for such sale or other disposition; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 25 is added to Article IV of section 3 of chapter 2003-335, Laws of Florida, to read:

Section 25. (a) The Canaveral Port Authority is authorized to sell or otherwise convey or dispose of any lands or any interests or rights in lands to which the District acquired title after January 1, 1987, or to which it may hereafter acquire title, whenever the Canaveral Port Authority determines it is in the best interest of the District to do so at the best price and terms obtainable, for such terms and conditions as the Canaveral Port Authority may in its discretion determine. The power to sell or otherwise convey granted herein specifically includes the power by the District to enter into public partnerships regarding District lands upon such terms and conditions as the Canaveral Port Authority may in its discretion determine. However, any conveyance or agreement must be for a public purpose.

(1) All sales of land, interests, or rights in land, or the lease of any interests in land, shall be for cash or upon terms and security to be approved by the Canaveral Port Authority. No deed shall be executed and delivered for any sale until full payment is made and received by the District.

(2) Before selling or disposing of any land or any interest or rights in and to any land, it shall be the duty of the District to cause a notice of intention to sell or dispose of the land to be published in a newspaper of general circulation published in Brevard County no less than once each week for 2 successive weeks. The first publication shall be not less than 15 days nor more than 30 days prior to the meeting at which the proposed sale or disposition will be considered. The notice shall set forth a description of the lands or interests or rights in lands offered for sale or other disposition.

(3) Deeds of conveyance of lands, the titles to which are held by the District or in the name of the Canaveral Port Authority, shall be by special warranty deed.

(4) All deeds of conveyance held by the District or by the Canaveral Port Authority shall convey only the interest of the District or the Canaveral Port Authority in the property covered thereby.

(b) The Canaveral Port Authority may exchange lands or interests or rights in lands owned and acquired by the District after January 1, 1987, or lands or interests or rights in said lands for which title is otherwise vested

in the District, for other lands or interests or rights in lands within the state owned by any person. The Canaveral Port Authority shall fix the terms and conditions of any such exchange and may pay or receive any sum of money that the Canaveral Port Authority considers necessary to equalize the values of exchanged properties. Before any exchange of property is effected, notice of the meeting at which said exchange is considered shall be published in a newspaper of general circulation published in Brevard County prior to the adoption by the Canaveral Port Authority of a resolution authorizing the exchange of properties. Notice shall be published at least once not less than 7 days nor more than 14 days prior to the meeting at which the resolution will be considered.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 3, 2005.

Filed in Office Secretary of State June 3, 2005.