

ORDINANCE NO. 514

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA AUTHORIZING THE SALE AND CONVEYANCE IN FEE OF CERTAIN TOWN OWNED PROPERTY LOCATED WITHIN THE TOWN OF BELLEAIR, PINELLAS COUNTY, FLORIDA LOCATED AT 1501 INDIAN ROCKS ROAD AND KNOWN AS THE BELLEVIEW BILTMORE GOLF COURSE OR PELICAN GOLF COURSE; THE SAME BEING MORE FULLY DESCRIBED IN EXHIBIT A HEREOF; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town purchased the 18-hole golf course historically known as the Belleview Biltmore Golf Course and also as the Pelican Golf Course, its clubhouse and other improvements (hereinafter, the "Property") on February 8, 2013 for a purchase price of \$3,500,000.00; and

WHEREAS, following its purchase of the Property, the Town has continued the operation of the Property as a golf course pursuant to a ten-year Golf Course Lease and Management Agreement with Green Golf Partners, LLC; and

WHEREAS, the Town receive an unsolicited offer to purchase the Property and has entered into a Purchase and Sale Agreement with Pelican Golf, LLC, a Florida limited liability company ("Buyer") dated February 18, 2016 (the "Purchase Agreement") for the sale of the Property for a purchase price of \$3,800,000.00 pursuant to the terms and conditions of the Purchase Agreement; and

WHEREAS, the purchase price for the Property was previously found to be consistent with the appraised value of the Property as determined by the Town's independent real estate appraiser; and

WHEREAS, all conditions to the sale and purchase of the Property under the Purchase Agreement have been satisfied and the Town and Buyer are prepared to close such sale and purchase; and

WHEREAS, in addition to such requirements set forth in the Purchase Agreement, Section 2.11(a)(2) of the Town Charter requires a conveyance in fee of any real property of the Town be done by ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA;

SECTION 1. The above premises are found to be true and correct.

SECTION 2. Subject to satisfaction of all requirements for closing under the Purchase Agreement, the Town of Belleair hereby conveys, in fee simple, its title to the Property as fully described in Exhibit A hereto and all improvements located thereon to Pelican Golf, LLC for a purchase price of Three Million Eight Hundred Thousand Dollars (\$3,800,000.00). Either the Mayor or the Town Manager are hereby authorized to execute and deliver to Pelican Golf, LLC all required deeds and other instruments as required to fully convey all right, title and interest of the Town in the Property.

SECTION 3. This ordinance may be recorded in the Public Records of Pinellas County and shall be in full force and effect immediately upon its passage, and approval upon second and final reading.

PASSED ON FIRST READING: May 2, 2017

PASSED AND ADOPTED ON SECOND AND FINAL READING: May 16, 2017

Mayor

ATTEST:

Town Clerk

EXHIBIT "A"
Property

Pelican Golf Course Property:

All of Pelican Golf Course, according to the map or plat thereof, as recorded in Plat Book 53, pages 45 and 46, public records of Pinellas County, Florida, except the portions thereof described as follows:

Exception 1: That part of the Pelican Golf Course, as recorded in Plat Book 53, Pages 45 and 46, of the public records of Pinellas County, Florida, described as follows: Begin at the Northeast corner of Althea Road and Golf View Drive, as shown on said plat of Pelican Golf Course, run thence South 25°17'43" West, along the Easterly right of way line of Golf View Drive, 530.0 feet for a Point of Beginning; thence South 64°42'17" East, 80.0 feet; thence South 04°44'21" West, 128.16 feet; thence North 64°42'17" West, 125.0 feet; thence North 25°17'43" East, along the Easterly right of way line of Golf View Drive, 120.0 feet to the Point of Beginning.

Exception 2: That part of the Pelican Golf Course, as recorded in Plat Book 53, Pages 45 and 46, of the public records of Pinellas County, Florida described as follows: Begin at the Northeast corner of Althea Road and Golf View Drive, as shown on said Plat of Pelican Golf Course, run thence South 25°17'45" West, along the Easterly right of way line of Golf View Drive, 410.0 feet for a Point of Beginning; thence South 64°42'17" East, 125.0 feet; thence South 45°51'05" West, 128.16 feet; thence North 64°42'17" West, 80.0 feet; thence North 25°17'43" East, along the Easterly right of way line of Golf View Drive 120.0 feet to the Point of Beginning.

Exception 3: That part of The Pelican Golf Course, as recorded in Plat Book 53, Pages 45 and 46, of the public records of Pinellas County, Florida, described as follows: Begin at the Northeast corner of Althea Road and Golf View Drive, as shown on said Plat of Pelican Golf Course, run thence South 25°17'43" West, along the Easterly right of way line of Golf View Drive, 310.0 feet for a Point of Beginning; thence South 64°42'17" East, 125.0 feet; thence South 25°17'43" West, 100.0 feet; thence North 64°42'17" West, 125.0 feet; thence North 25°17'43" East, along the Easterly right of way line of Golf View Drive, 100.0 feet to the Point of Beginning.

Water Tower Property:

An undivided one half interest in and to:

A parcel of land lying in Section 21, Township 29 South, Range 15 East, Pinellas County, Florida, also being a portion of land in the Map of Belleair as recorded in Plat Book 1, Page 105, public records of Hillsborough County, Florida, of which Pinellas County was formerly a part, described as follows:

Commencing at the intersection of the centerlines of Second Avenue (Hamlet Avenue), a 50 foot right of way and "D" Street for a point of reference; thence East 318.00 feet to the Point of Beginning; thence North 40.00 feet; thence East 50.00 feet; thence South 60.00 feet; thence West 50.00 feet; thence North 20.00 feet to the Point of Beginning.

Together with an appurtenant, non-exclusive easement for ingress/egress and an easement for the purpose of storing and conveying water as reserved in that certain Deed from United States Steel Corporation to Edgewater Executive Park, Inc., dated February 26, 1974 and recorded in Official Records Book 4142, Page 1567, of the public records of Pinellas County, Florida.