

RESOLUTION

RESOLUTION OF THE SCHOOL BOARD OF SANTA ROSA COUNTY, FLORIDA, APPROVING AND RATIFYING EXECUTION OF A PURCHASE AND SALE AGREEMENT FOR REAL PROPERTY THAT IS UNDER CONTRACT WITH FOREST BAY ESTATES, LLC; PROVIDING FOR THE ACQUISITION, OWNERSHIP, DEVELOPMENT, AND MAINTENANCE OF THE REAL PROPERTY FOR PUBLIC EDUCATIONAL FACILITIES, AUXILIARY FACILITIES, AND RELATED INSTITUTIONAL USES AND PURPOSES, SUBJECT TO CONDITIONS; AUTHORIZING THE MEMBERS, SUPERINTENDENT, OFFICERS, ATTORNEYS, AND OTHER AGENTS AND EMPLOYEES TO DO ALL THINGS NECESSARY TO CARRY OUT TRANSACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The School Board of Santa Rosa County, Florida, has made the following determinations:

A. In accordance with the provisions of Article IX, Section 4(b), of the Florida Constitution, this Board is responsible for the operation, control, and supervision of all free public schools within The School District of Santa Rosa County, Florida (ADistrict@).

B. In order to operate, control, and supervise public schools in the District, this Board must make adequate provision for such “educational facilities,” “auxiliary facilities,” and “educational plant,” as those terms are defined in Section 1013.01, Florida Statutes, as are necessary and essential to accommodate students, faculty, administrators, staff, and activities of educational programs for the District, and to provide support services to those educational programs.

C. The Superintendent of Schools for the District (“Superintendent”) has identified certain vacant real property (“Real Property”) located within Santa Rosa County and more particularly described in the attached Agreement for Sale and Purchase (“Agreement”), as a necessary and appropriate location for new educational facilities, auxiliary facilities, and related institutional uses and purposes.

D. The Superintendent has provided to the Board a detailed report of her investigation and analysis of the Real Property, which report indicates that development of the Real Property will provide new educational facilities, auxiliary facilities, and related institutional uses and purposes for the District in a cost-effective manner at a location properly suited by such uses and purposes.

E. The Superintendent, on behalf of the District and this Board and in accordance with Section 1013.33(5), Florida Statutes, requested Santa Rosa County, Florida (“County”), to advise whether this Board=s proposed use of the Real Property for educational facilities, auxiliary facilities, and related institutional uses and purposes is consistent with the land use categories and policies of the County=s comprehensive plan. By communication dated August 31, 2021, the County advised the Superintendent and this Board that the Board’s proposed use of the Real Property for educational

facilities, auxiliary facilities, and related institutional uses and purposes is consistent with the land use categories and policies of the County=s comprehensive plan.

F. On August 14, 2021, the Superintendent, on behalf of the District and this Board, caused to be published in the *Press Gazette*, a newspaper of general circulation in Santa Rosa County, Florida, notice of a public hearing on the proposed acquisition of the Real Property for new educational facilities, auxiliary facilities, and related institutional uses and purposes.

G. As provided in Section 1013.14, Florida Statutes, the Superintendent, on behalf of this Board, has obtained two appraisals of the Real Property by appraisers approved pursuant to Section 253.025(8), Florida Statutes, and the average value of the appraisals is not less than the Purchase Price.

H. On September 21, 2021, this Board held a public meeting to consider whether to acquire the Real Property, and to develop the Real Property for new educational facilities, auxiliary facilities, and related institutional uses and purposes.

I. At the public meeting held on September 21, 2021, the Superintendent recommended that this Board approve and ratify execution of the attached Agreement and authorize closing of the transaction contemplated by the Agreement upon satisfaction of all terms and conditions.

J. Upon being acquired by the Board, the Real Property will comprise a site suitable, necessary, and appropriate for the development of new “educational facilities,” “auxiliary facilities,” and “educational plant,” as those terms are defined in Section 1013.01, Florida Statutes, as are necessary and essential to accommodate students, faculty, administrators, staff, and activities of educational programs for the District, and to provide support services to those educational programs.

K. The best interests of the District will be served by approving and ratifying the attached Agreement; by authorizing closing of the transaction contemplated by the Agreement upon satisfaction of all terms and conditions; by providing for the acquisition, ownership, development, and maintenance of the Real Property for educational facilities, auxiliary facilities, and related institutional uses and purposes as described in this Resolution; and by authorizing the members of the Board, the Superintendent, the officers, attorneys, and other agents and employees of the Board to do all things necessary to carry out the transactions contemplated under this Resolution.

NOW, THEREFORE, be it resolved by The School Board of Santa Rosa County, Florida, as follows:

1. The Agreement between Forest Bay Estates, LLC, as Seller, and the Board, as Purchaser, in form attached to this Resolution, be and it is hereby, approved and its execution ratified.
2. The purchase of the Real Property as provided for by the Agreement be, and it is hereby, approved, subject to the terms, conditions, and contingencies set forth in the Agreement. Upon closing the transactions contemplated by the Agreement, the Superintendent is authorized and directed to proceed with the preparation of plans for the ownership, development, and maintenance

of the Real Property for educational facilities, auxiliary facilities, and related institutional uses and purposes as described in this Resolution.

3. Members of the Board, the Superintendent, the officers, attorneys, and other agents and employees of the Board are hereby authorized to do all acts and things required of them by this Resolution and the Agreement, or desirable or consistent with the requirements of this Resolution and the Agreement, for the full, punctual, and complete performance of the terms, covenants, and agreements contained herein or therein, and each member, employee, attorney, and officer of the Board is hereby authorized and directed to execute and deliver any and all papers and instruments and to be and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated under this Resolution and the Agreement, including but not limited to terminating, cancelling, or annulling the Agreement upon the failure of any material term, condition, or contingency set forth in the Agreement.

4. This Resolution shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED at a regular meeting this 21st day of September, 2021.

Attest:

SCHOOL BOARD OF SANTA ROSA
COUNTY, FLORIDA

Dr. Karen R. Barber, Superintendent and
ex officio Secretary

By: _____
Wei Ueberschaer, Chairperson

ATTACHMENT TO APPROVING RESOLUTION

AGREEMENT FOR SALE AND PURCHASE