

RESOLUTION 2021-__

A RESOLUTION OF THE SCHOOL BOARD OF BREVARD COUNTY, RELATING TO THE DISPOSAL OF WHISPERING HILLS EDUCATION CENTER, LOCATED IN TITUSVILLE, FLORIDA

WHEREAS pursuant to 1013.28(1)(a) F.S. District real property may be disposed of only after having been recommended in an educational plant survey and being officially declared unnecessary or unsuitable for educational or ancillary purposes by resolution of the Board.

WHEREAS the Board may sell, transfer, or dispose of any district real property, regardless of value, by public sale, private sale, negotiation, donation, or any other means deemed in the best interest of the district by the Board, in accordance with the minimum requirements of the State Board of Education Rules.

WHEREAS the State Requirements for Educational Facilities 2014 (SREF), approved by the State Board of Education, September 29, 2014, section 1.4(4) states that “upon disposal of any land or real property, funds received shall be deposited into a depository account pursuant to SREF, section 2.1(4)(a)-(h) and credited to the fund source used for the original acquisition. If the original acquisition was by private grant or donation, the proceeds from the sale shall be deposited into a depository account pursuant to SREF, section 2.1(4)(h), and shall be expended only on capital outlay projects unless otherwise prescribed by the grantor or donor in writing or in a written agreement with the Board. If the original fund source cannot be determined, proceeds of the sale shall be credited pursuant to SREF, section 2.1(4)(h) and shall be expended only on capital outlay projects [...]”

WHEREAS The School Board of Brevard County, Florida owns certain real property containing improvements commonly known as the Whispering Hills Education Center Facility described in Exhibit “A”.

WHEREAS The School Board of Brevard County, Florida entered into a lease agreement with the United States Department of the Air Force (Air Force) for the placement of a weather station on July 24, 1984. At the December 10, 2003, School Board Meeting, the Air Force was granted approval to install, operate, and maintain an atmospheric monitoring station at the Whispering Hills property. In 2010 and 2015, the School Board approved new agreements to continue to maintain the weather monitoring tower. At the March 24, 2020, School Board Meeting, the School Board approved a new lease agreement for a one-year period and continuing from year to year until May 25, 2025, unless terminated earlier. The lease allows the School Board to terminate the lease by giving the Air Force 90 days’ notice.

WHEREAS The School Board granted a Temporary Easement for Construction Access to The City of Titusville over, on, under, and across a portion of the Property for the specific and limited purposes pertaining to the demolition of the adjacent water tower. The Temporary Easement for Construction Access, dated June 8, 2021, is for a one-year period.

WHEREAS the Whispering Hills Education Center Facility is no longer required for educational or ancillary purposes and has not been operated as a school for many years. The property currently has one building that is still utilized for office space.

WHEREAS the Whispering Hills Education Center Facility is recommended to be offered for sale in the district's current Educational Plant Five Year Survey 5- Version 2 report, which was approved by the School Board of Brevard County on July 13, 2021.

NOW, THEREFORE, BE IT RESOLVED by the School Board of Brevard County, Florida, that:

1. The School Board of Brevard County declares the Whispering Hills Education Center Facility to be unnecessary and/or unsuitable for educational or ancillary purposes.
2. The School Board of Brevard County hereby determines that it is in the best interest of the district and the public to dispose of the Whispering Hills Education Center Facility and a portion of the overall property.
3. The School Board of Brevard County, Florida, directs the Superintendent and his designees to negotiate, subject to Board approval, the disposition of the Whispering Hills Education Center Facility in accordance with the provisions of §1013.28, *Florida Statutes* and Rule 6A-2.0010(1), Florida Administrative Code.
4. Upon disposal of the Whispering Hills Education Center Facility, any funds received for sale, transfer, or disposal of said district real property shall be deposited into a depository account and expended for capital outlay projects in accordance with the minimum requirements of the Auditor General and State Board of Education Rules SREF sections 1.4(4) and 2.1(4)(h).

DULY ADOPTED AND APPROVED by majority vote of the School Board of Brevard County, Brevard County, Florida, at the regular School Board Meeting, held the ____ day of ____, 2021.

By: _____

Misty Belford, Chairperson
School Board of Brevard County

Attest: _____

Mark E. Mullins, Ed.D., Superintendent
School Board of Brevard County

**STATE OF FLORIDA
COUNTY OF BREVARD**

I HEREBY CERTIFY that on this day before me personally appeared _____
and _____ respectively of the School Board of Brevard County, a
political subdivision of the State of Florida, to me known to be the persons who signed the
foregoing instrument and severally acknowledged the execution thereof to be their free act and
deed for the uses and purposes therein mentioned. He/She (1) has produced satisfactory
evidence with identification or (2) is personally known by me and did take an oath. WITNESS my
hand and official seal at _____, said County and State, this
_____ day of _____, 2021.

Notary Public, State of Florida
My Commission expires:

SPECIFIC AUTHORITY: Sections 1001.42(2); 1013.28(1)(a), F.S.; SREF Section 1.4(4), SREF Section 2.1(4)(a)-(h)

Exhibit A

The Whispering Hills Education Center Facility situated on the remaining 10.1 acres +/-, of a conveyance by Edwin H. Willis and Lorraine H. Willis, his wife, unto The Board of Public Instruction of Brevard County, Florida by deed dated August 9, 1957, and recorded among the Official Records in Brevard County, Florida in Deed Book 37, Page 528. The property is located at 800 Lane Avenue in Titusville, Florida. The property is tax parcel 504, having a tax account number 2201393.

