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3 **RESOLUTION NO. 2014-71**  
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5 A RESOLUTION OF THE VILLAGE  
6 COMMISSION OF THE VILLAGE OF  
7 BISCAYNE PARK, AUTHORIZING THE  
8 MAYOR TO EXECUTE THE BILL OF SALE  
9 BETWEEN THE VILLAGE OF BISCAYNE  
10 PARK AND RESERVE OFFICER BRAD KERN  
11 FOR THE SALE OF A POLICE VEHICLE;  
12 PROVIDING FOR AN EFFECTIVE DATE  
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15 WHEREAS, Village of Biscayne Park Reserve Police Officer Brad Kern presently has  
16 a Ford Crown Victoria police vehicle in his possession; and,  
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18 WHEREAS, the Village has expressed interest in purchasing the vehicle from Officer  
19 Kern, and has determined it to be in good condition after having it fully inspected; and,  
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21 WHEREAS, the Village will provide Officer Kern the exclusive use of the vehicle  
22 while he is serving in the capacity of Reserve Police Officer for the Village of Biscayne Park.  
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25 NOW THEREFORE BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE  
26 VILLAGE OF BISCAYNE PARK, FLORIDA:  
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29 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as  
30 being true and correct and hereby made a specific part of this Resolution upon adoption hereof.  
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32 **Section 2.** The Village Commission authorizes the Mayor to execute the Bill of  
33 Sale for a 2006 Ford Crown Victoria; VIN #2FAFP71W26X136535, to Reserve Officer Brad  
34 Kern in the amount of one dollar (\$1.00). The Bill of Sale, in substantial form, is attached and  
35 incorporated by reference into this resolution as exhibit 1.  
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37 **Section 3.** The Village agrees to be responsible for the upkeep and maintenance of  
38 the vehicle and to assume all responsibility and liability for the vehicle.  
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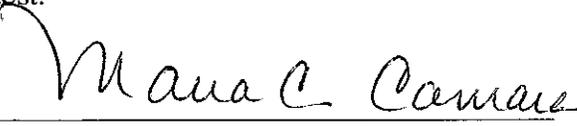
40 **Section 4.** The Village agrees that Officer Kern will have exclusive use of the  
41 vehicle while he is serving in the capacity of Reserve Officer for the Village of Biscayne Park  
42 Police Department.  
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44 **Section 5.** This Resolution shall become effective upon adoption.  
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PASSED AND ADOPTED this 7<sup>th</sup> day of October, 2014.

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\_\_\_\_\_  
David Coviello, Mayor

Attest:  
  
\_\_\_\_\_  
Maria C. Camara, Village Clerk

Approved as to form:  
  
\_\_\_\_\_  
John J. Hearn, Village Attorney

**The foregoing resolution upon being  
put to a vote, the vote was as follows:**

Mayor Coviello: Yes  
Vice Mayor Ross: Yes  
Commissioner Anderson: Yes  
0Commissioner Jonas: Yes  
Commissioner Watts: Absent

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**BILL OF SALE**

This Bill of Sale is made on the 7<sup>th</sup> day of October, 2014 between the Village of Biscayne Park, Florida (herein "Buyer") and Reserve Officer Brad Kern (herein "Seller").

WHEREAS, Seller presently has an older model police vehicle in its possession which is more fully described as a 2006 Ford Crown Victoria; VIN #2FAFP71W26X136535 (herein "Vehicle"); and

WHEREAS, Buyer is a Florida municipal corporation and has expressed its interest in purchasing the Vehicle from Seller; now, therefore

IN CONSIDERATION of each party having an interest in serving and protecting the community, Seller and Buyer do mutually agree as follows:

(1) Buyer agrees to pay Seller one dollar (\$1.00) for the purchase of the Vehicle from the Seller in "as is" condition.

(2) Buyer has had the opportunity and has had the Vehicle inspected by a third party licensed mechanic and has found it to be in good condition. Having had that opportunity, Buyer acknowledges and accepts the Vehicle in its present physical condition.

(3) Buyer agrees to be responsible for registering and insuring the Vehicle in the name of the Village of Biscayne Park.

(4) Buyer agrees to be responsible for the upkeep and maintenance of the Vehicle.

(5) Buyer agrees to assume all responsibility and liability for the Vehicle.

(6) Seller agrees to relinquish all rights to the Vehicle.

(7) Buyer further agrees that Seller shall have exclusive use of the Vehicle while he is serving in the capacity of a Reserve Officer for the Village of Biscayne Park Police Department.

(8) If Seller is no longer serving in the capacity of a Reserve Officer, Village may use the Vehicle in any manner it deems fit.

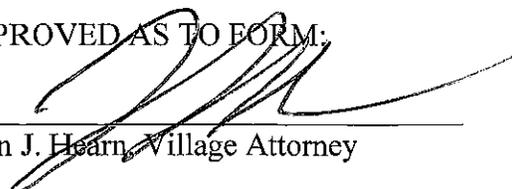
(9) Seller agrees that the Buyer reserves the right to sell the Vehicle back to the Seller for the sum of one dollar (\$1.00) should Buyer deem that, in its sole discretion, the Vehicle is no longer of any value to the Buyer. Should Seller refuse to purchase the Vehicle back from the Buyer, Seller agrees that Buyer may dispose of the Vehicle in any manner it deems appropriate.

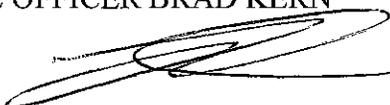
ATTEST:

  
\_\_\_\_\_  
Maria Camara, Village Clerk

VILLAGE OF BISCAYNE PARK, FLORIDA  
  
\_\_\_\_\_  
David Coviello, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
John J. Hearn, Village Attorney

RESERVE OFFICER BRAD KERN  
  
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