

TOWN OF DAVIE  
TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM:** Monroe D. Kiar, Town Attorney

**SUBJECT:** Resolution

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, OPPOSING ANY ACQUISITION OF THE STIRLING ESTATES MOBILE HOME PARK BY THE SEMINOLE TRIBE OF FLORIDA, INC., OR ANY COMPANY, CORPORATION, PARTNERSHIP, ORGANIZATION, TRUST, ETC., AFFILIATED WITH THE SEMINOLE TRIBE OF FLORIDA, INC.; AND OPPOSING ANY ATTEMPT MADE BY THE SEMINOLE TRIBE OF FLORIDA, INC., OR ANY COMPANY, CORPORATION, PARTNERSHIP, ORGANIZATION, TRUST, ETC., AFFILIATED WITH THE SEMINOLE TRIBE OF FLORIDA, INC., TO REMOVE THE RESIDENTS CURRENTLY RESIDING AT THE STIRLING ESTATES MOBILE HOME PARK.

**REPORT IN BRIEF:** The Stirling Estates Mobile Home Park is located within the municipal boundaries of the Town of Davie, Florida and the Seminole Tribe of Florida, Inc., has acquired the Stirling Estates Mobile Home Park either through its own name, or through an affiliated company, corporation, partnership, organization, etc., or through the Board of Trustees of the Internal Improvement Trust Fund pursuant to Florida Statutes section 285.14. Further, the Seminole Tribe of Florida, Inc., has indicated that it may request that the Department of Interior, pursuant to 25 U.S.C. section 465, 25 C.F.R. chapter 151, or any other applicable Federal law, hold the land in trust for the Seminole Tribe of Florida, Inc. Many of the Town of Davie residents who reside within the Stirling Estates Mobile Home Park will be displaced as a result of the land acquisition. Further, the residents who reside within the Stirling Estates Mobile Home Park are indispensable to the Town of Davie's economic and social stability. As a result, the purpose of the attached Resolution is so that the Town Council may formally oppose any acquisition of the Stirling Estates Mobile Home Park by the Seminole Tribe of Florida, Inc., or by any affiliated company, corporation, partnership, etc., or through the Board of Trustees of the Internal Improvement Trust Fund pursuant to Florida Statutes section 285.14 and may oppose any attempt made by the Seminole Tribe of Florida, Inc., or any company, corporation, partnership, organization, trust, etc., to remove the residents currently residing at the Stirling Estates Mobile Home Park.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** N/A

**FISCAL IMPACT:** If the Seminole Tribe of Florida, Inc., removes the residents from the Stirling Estates Mobile Home Park and if the land is ultimately held in trust for the Seminole Tribe of

Florida, Inc., then the Town may lose the tax revenue generated from the property.

**RECOMMENDATION(S):** The attached Resolution is in proper legal form for the Town Council's review.

**RESOLUTION R-2006-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, OPPOSING ANY ACQUISITION OF THE STIRLING ESTATES MOBILE HOME PARK BY THE SEMINOLE TRIBE OF FLORIDA, INC., OR ANY COMPANY, CORPORATION, PARTNERSHIP, ORGANIZATION, TRUST, ETC., AFFILIATED WITH THE SEMINOLE TRIBE OF FLORIDA, INC.; AND OPPOSING ANY ATTEMPT MADE BY THE SEMINOLE TRIBE OF FLORIDA, INC., OR ANY COMPANY, CORPORATION, PARTNERSHIP, ORGANIZATION, TRUST, ETC., AFFILIATED WITH THE SEMINOLE TRIBE OF FLORIDA, INC., TO REMOVE THE RESIDENTS CURRENTLY RESIDING AT THE STIRLING ESTATES MOBILE HOME PARK.**

**WHEREAS**, the Stirling Estates Mobile Home Park is located within the municipal boundaries of the Town of Davie, Florida; and

**WHEREAS**, the Seminole Tribe of Florida, Inc., (hereinafter referred to as the “Seminole Tribe of Florida”) has acquired the Stirling Estates Mobile Home Park either through its own name, or through an affiliated company, corporation, partnership, organization, etc., or through the Board of Trustees of the Internal Improvement Trust Fund pursuant to Florida Statutes section 285.14; and

**WHEREAS**, the Seminole Tribe of Florida has indicated that it may request that the Department of Interior, pursuant to 25 U.S.C. section 465, 25 C.F.R. chapter 151, or any other applicable Federal law, hold the land in trust for the Seminole Tribe of Florida; and

**WHEREAS**, many Town of Davie residents reside within the Stirling Estates Mobile Home Park; and

**WHEREAS**, the residents residing within the Stirling Estates Mobile Home Park have been provided with a Notice to remove themselves from the Park by a specified date; and

**WHEREAS**, the residents of the Stirling Estates Mobile Home Park have developed friendships with their neighbors and wish to continue to reside within the Stirling Estates Mobile Home Park, and

**WHEREAS**, the residents who reside within the Stirling Estates Mobile Home Park are indispensable to the Town of Davie's economic and social stability; and

**WHEREAS**, it is imperative that the Stirling Estates Mobile Home Park and its land remain on the Town of Davie's Tax Roll; and

**WHEREAS**, if the Seminole Tribe of Florida forces the residents of the Stirling Estates Mobile Home Park to leave the Park, then it will force many residents to be displaced and will seriously damage the infrastructure and economic stability of the Town of Davie; and

**WHEREAS**, it is imperative that any owner and/or inhabitant of the Stirling Estates Mobile Home Park be required to follow the Town of Davie's local laws and Municipal Code of Ordinances to ensure the protection and safety of all residents within the Town of Davie.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:**

**SECTION 1.** The Town Council hereby opposes any acquisition of the Stirling Estates Mobile Home Park by the Seminole Tribe of Florida or by any affiliated company, corporation, partnership, etc., or through the Board of Trustees of the Internal Improvement Trust Fund pursuant to Florida Statutes section 285.14.

**SECTION 2.** The Town Council hereby opposes any request made to the Department of Interior and/or any other relevant Federal or State agency or official to hold the land in trust for the Seminole Tribe of Florida.

**SECTION 3.** The Town Council hereby opposes any removal of the Stirling Estates Mobile Home Park from the Town of Davie's Tax Roll.

**SECTION 4.** The Town Council hereby opposes any removal and displacement of residents living within the Stirling Estates Mobile Home Park.

**SECTION 5.** The Town Council hereby directs the Town staff to send this Resolution to any and all appropriate State and Federal agencies and elected and non-elected officials.

**SECTION 6.** This Resolution shall take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2006.**

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

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TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

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