



## Legislation Text

---

**File #:** 17-1123, **Version:** 1

---

**TO:** Honorable Mayor & Members of the North Port Commission

**FROM:** Peter D. Lear, CPA, CGMA, Interim City Manager

**TITLE:** Discussion regarding the exchange of real property, located within the Myakkahatchee Greenway project, PID # 0969-06-2439 in exchange for City owned property PID # 0964-08-4517.

### **Recommended Action**

Approve the exchange of real property, located within the Myakkahatchee Greenway project, PID # 0969-06-2439 in exchange for City owned property PID # 0964-08-4517.

### **Background Information**

In January of 2015, following a discussion on the remaining lots located within the Myakkahatchee Creek Greenway to acquire, Commission approved the staff recommended steps to send a Letter of Interest to each (undeveloped) property owner, offering the current Sarasota County Property Appraiser's just value, seeking "Willing Sellers," with the goal to acquire as many of the 65 vacant properties as possible.

During the month of April 2015, letters were sent to all (undeveloped) property owners of the lots along the Myakkahatchee Creek remaining to be acquired to complete the Greenway Acquisition Program. The letter solicited willing sellers, offering the Sarasota County Property Appraiser's Just Value as a purchase price. The letter also offered an opportunity to exchange property for City owned property.

In the fall of 2015, the City contracted with American Acquisition, Inc. to continue the pursuit of willing property sellers. Subsequently, in March of 2017, staff submitted the list of remaining vacant properties to Sarasota County to consider purchasing within the County's Park Preservation and Environmentally Sensitive Lands Programs, of which they are now in the process of seeking willing sellers. However, American Acquisition was authorized to continue seeking willing sellers, should they be contacted. Consequently, American Acquisition received notification from Wade Journey Homes requesting to exchange property located within the Myakkahatchee Greenway project, PID # 0969-06-2304 with City owned property, 0964-084517 on Allsup Terrace. Wade Journey Homes purchased the property from KB Homes and closed on the purchase on May 30, 2017. The 2016 just value for the City property is \$2300. The just value of the Wade Journey property is \$2500. There is no other consideration provided to Wade Journey Homes other than the property.

In Resolution 07-R-11, the Commission authorized the City Manager or his designee to perform all actions delegable to him by law that are necessary to negotiate enter into and consummate the proposed purchases exchanges or donations including without limitation the following:

- A. Authorized to contract for necessary appraisal services, survey services, title services, legal services, closing services and any ancillary services necessary for the acquisition of said platted lots;
- B. Authorized to negotiate enter into and consummate the proposed purchases and donations for the acquisition of all portions of the property
- C. Authorized to purchase platted lots and tracts pursuant to Agreements for Purchase and Sale of Real Property executed by the property owner(s) and approved by the City Manager or his designee;
- D. Authorized to acquire platted lots and tracts by donation subject to the procedures for acceptance of donations of real property as determined by the City Manager with the advice and counsel of the City Attorney;
- E. Authorized to acquire platted lots and tracts by exchange subject to the procedures for the exchange of real

- property as determined by the City Manager with the advice and counsel of the City Attorney
- F. Authorized to pay for the costs of acquiring such platted lots including the cost of purchase appraisal services survey services title services usual and customary closing costs the City 5 legal services and any other costs as deemed prudent to the acquisition;
- G. Authorized to sign all documents on behalf of the City Commission necessary to complete the acquisition of any such lots and tracts

Staff is seeking Commission approval to proceed with the exchange of the referenced properties.

### **Strategic Plan**

Preservation of Environment and Natural Resources

### **Financial Impact**

Funds are available in CIP Project P15MCC

### **Procurement**

#### **Attachments:**

1. Property Information and Map
2. Resolution 2007-R-11
3. Deed of Ownership

**Prepared by:** Daniel Schult

**Department Director:** Peter Lear