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**COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: Matthew G. Minter, Deputy County Attorney *MGM*

FROM: Al Schwarz, Assistant County Attorney *AS*

CONCUR: Pam Hastings, Administrative Manager/Public Works Department
David V. Nichols, P.E./Engineering Division *DVN 11-22-06*

DATE: November 21, 2006

SUBJECT: Donation Agreement Authorization
Owner: Von Companies, LLC.
Parcel Nos. 133 and 733 (Parts A and B)
County Road 15 (Monroe Road)

This Memorandum recommends that the Board of County Commissioners authorize the acceptance of the donation of Parcel Nos. 133 and 733 (Parts A and B), as well as the recording of necessary instruments, to the County by Von Companies, LLC with the County paying only for closing fees and costs.

I THE PROPERTY

A. Location Data

The subject property is located at the southwest corner of County Road 15 (Monroe Road) and unpaved School Street in a portion of unincorporated Seminole County, Florida.

1. Sketch (Exhibit A);
2. Location Map (Exhibit B); and

B. Address

770 Monroe Road
Sanford, FL 32771

C. Description

The parent tract consists of 88,559 square feet and is improved with an office/warehouse.

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution No. 2006-R-114 on May 9, 2006, authorizing the acquisition of Parcel Nos. 133 and 733 (Parts A and B), and finding that the improvements are necessary and serve a County and public purpose and are in the best interests of the citizens of Seminole County.

III ACQUISITION/REMAINDER

The proposed acquisition of Parcel No. 133 consists of 10,587 square feet and is a rectangular shaped parcel improved with a retention pond area. The fee simple acquisition leaves a remainder of 77,972 square feet to the parent tract. In the after, the remainder will have frontage along a four lane urban roadway which will enhance its viability as an industrial site. Parcel No. 733 (Parts A and B) is a temporary construction easement located along the east boundary of the subject property. The temporary construction easement will be used for constructing drainage inlets. Parcel No. 733A contains 76 square feet and Parcel No. 733B contains 228 square feet.

IV APPRAISED VALUE

The County's appraised value amount is \$85,000.00 (allocated Parcel No. 133 \$82,200.00; Parcel No. 733A \$1,700.00; and Parcel No. 733B \$1,100.00) and was prepared by Florida Realty Analysts, Inc.

V BINDING OFFER/NEGOTIATIONS

Contemporaneously with this agenda item, County staff is seeking approval of a binding written offer for these parcels at the appraised value of \$85,000.00.

The owner has recognized the economic development of the construction of the improvements to County Road 15, and therefore is donating the property with the closing fees and costs to be paid by the County. The County will secure all instruments necessary to effectuate the donation including the donation form (Exhibit C).

The County will pay reasonable closing fees and costs necessary to prepare closing documents that provide insurable title to the donated property.

VI SETTLEMENT ANALYSIS/COST AVOIDANCE

By acquiring these parcels through donation, the County has been spared the potential expense associated with a condemnation action. Von Companies, LLC deserves recognition for being an outstanding corporate citizen.

VII RECOMMENDATION

County staff recommends that the BCC authorize the acceptance and recording of a Warranty Deed for Parcel No. 133 and a Temporary Construction Easement for Parcel No. 733 (Parts A and B) in County Records.

AHS/dre

Attachments:

Sketch (Exhibit A)

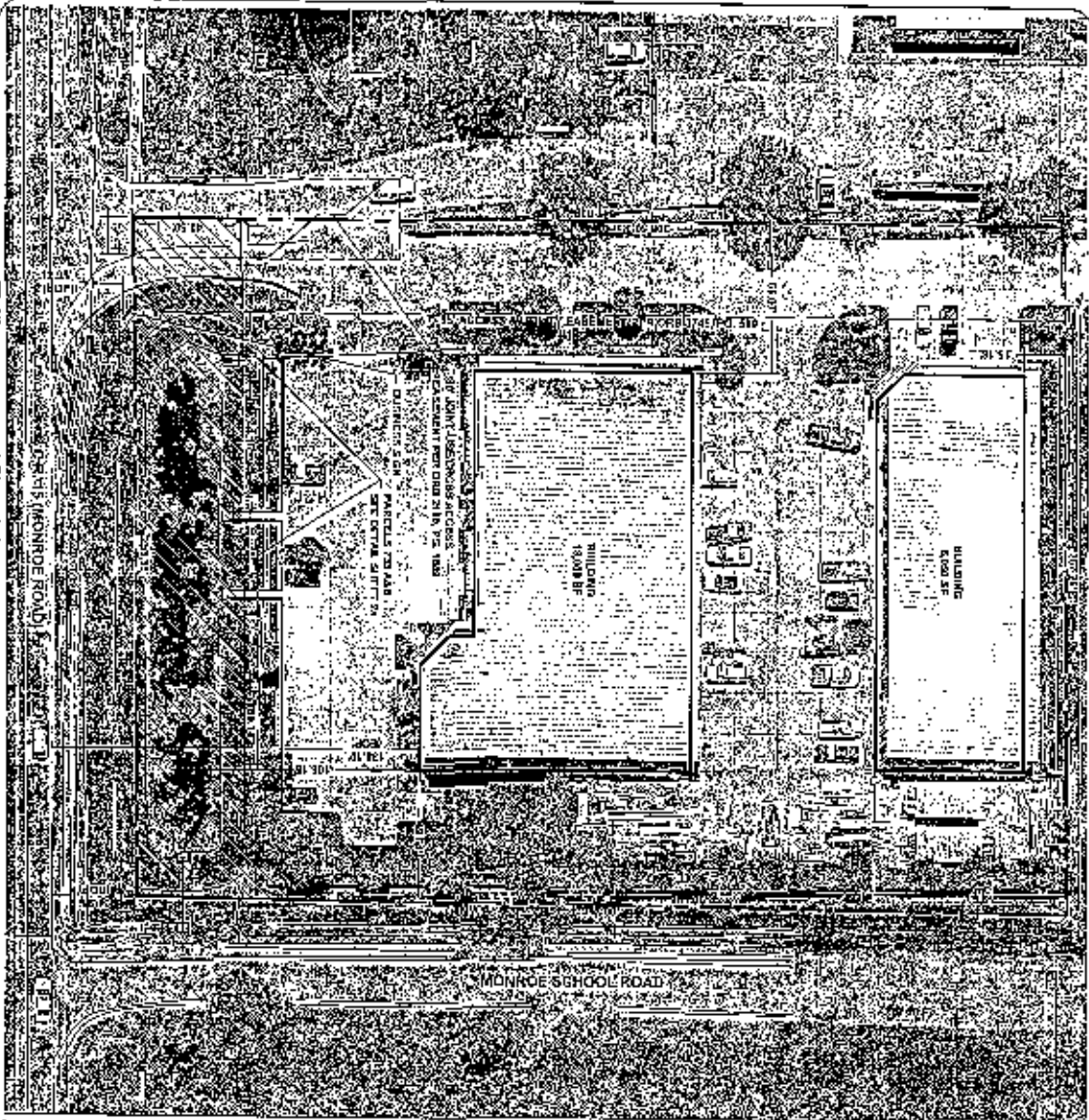
Location Map (Exhibit B)

Donation Form (Exhibit C)

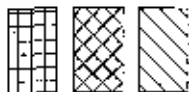
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EXHIBIT A

\\FS01\0006\ADK\10206 2 R. 15 Special Rev (Planning) (M 128-7150) (del) (v03-12) (M) (M) Oct 04, 2004 - 12:30pm



PARENT TRACT
 AREA OF TAKE
 REMAINDER TRACT
 PROPERTY LINE
 AREA OF TAKE
 PARCEL 133 - 10,527 SF
 AREA OF TIDE
 PARCEL 733A - 76 SF
 AREA OF TIDE
 PARCEL 733B - 229 SF



2.033 AC
 10,527 SF
 1.790 AC

PARENT TRACT : WITH TAKING SHOWN

PARCEL 133 / 733 A/B
 C.R. 15 / MONROE ROAD
 SEMINOLE CO., FLORIDA

SHEET 2
 PROJECT NUMBER
 DRAWING NO.
 THE PARTIALS COMPANY

EXHIBIT B

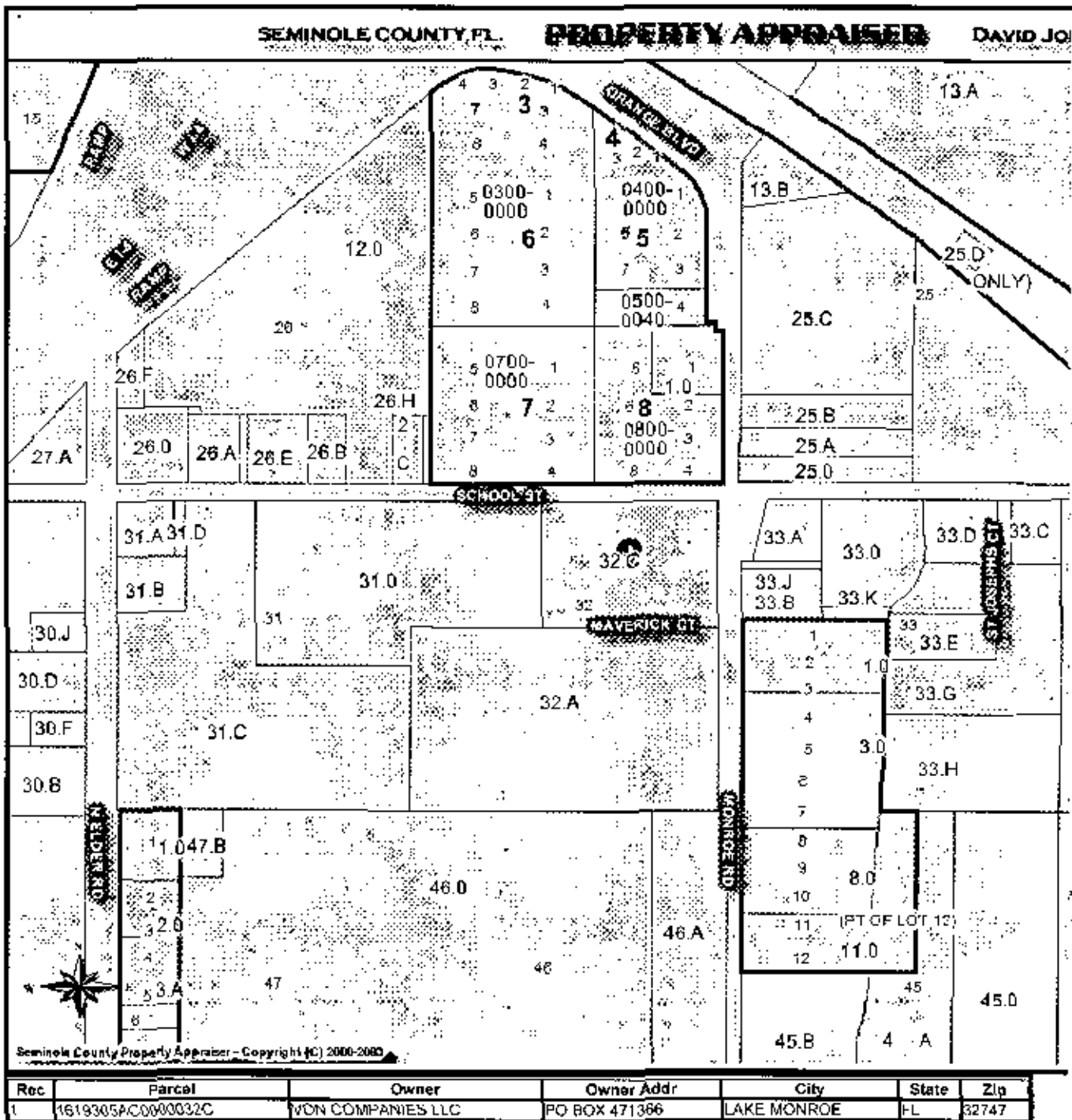


EXHIBIT C

**DONATION OF PROPERTY TO THE
BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA**

Road Project: CR 15 (Upsala Road)
Parcel No. 133/733 A & B

This is to advise that the undersigned, as owner of the property or property interest referenced above and as shown on right-of-way maps for the above referenced project, desires to make a voluntary donation of said property or property interest to the board of county commissioners of Seminole County, Florida for the use and benefit of Seminole County, Florida.

The undersigned hereby acknowledges that he/she/they/it has/have been fully advised by a Seminole County representative of his/her/their/its right to have the referenced property or property interest appraised, to accompany the appraiser during the appraisal inspection of the property, to receive full compensation for the above referenced property, and to receive reimbursement for reasonable fees and costs incurred, if any. Having been fully informed of the above rights, I/we hereby waive those rights unless otherwise noted below.

Owner's signature

Type or print property owner's name

Date

770 Monroe Road

Street address

Sanford, FL 32771

City, state, zip code