

# MANATEE COUNTY GOVERNMENT AGENDA MEMORANDUM

<b>SUBJECT</b> Buckeye Road Acquisition	<b>TYPE AGENDA ITEM</b> Consent
<b>DATE REQUESTED</b> March 13, 2001	<b>DATE SUBMITTED/REVISED</b> February 28, 2001
<b>BRIEFINGS?/WHO?</b> N/A	<b>CONSEQUENCES IF DEFERRED</b> N/A
<b>DEPARTMENT/DIVISION</b> Transportation/Land Acquisition	<b>AUTHORIZED BY TITLE</b> Larry R. Mau, P.E. <i>Larry R. Mau</i> Transportation Director
<b>CONTACT PERSON TELEPHONE/EXTENSION</b> Jim Staples 5007	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b> Jim Staples, Land Acquisition Manager 5007 <i>Jim Staples</i>

**ADMINISTRATIVE APPROVAL** *DRR An E Paddy 3/7/01*

### ACTION DESIRED

INDICATE WHETHER "REPORT or "DISCUSSION, "FORM OF MOTION, or "OTHER ACTION REQUIRED:

**Authorization for Chairman to execute Contract for Sale and Purchase for a Warranty Deed from Reeder Ranch & Dairy, Inc. for right-of-way required for road improvements to Buckeye Road realignment project at a cost of \$127,464.**

### ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.)

Comp Plan - Goal 5.1 addresses the safety and efficiency of forecasted vehicular travel demands.

### BACKGROUND/DISCUSSION

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HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED ? Indicate "NO" or "YES" @ right. (If "NO," proceed to 1) below; and if "YES," proceed to 2) below) NO

- 1) IF "NO" TO ABOVE,
- A) PLEASE EXPLAIN BELOW: (see also following section 1B) re: contract, agreement, lease, etc.:
- Procedure previously approved by the County Attorney's Office
- B) IF A CONTRACT, AGREEMENT, LEASE OR OTHER DOCUMENT WAS PREVIOUSLY APPROVED, STATE YEAR OF LAST USE @ RIGHT: N/A
- 2) IF "YES" TO FIRST QUESTION IN THIS SECTION,
- A) HAS ENTIRE MATTER, OR ONLY A PORTION, BEEN REVIEWED? IF ONLY A PORTION, WHICH PORTION?
- B) HAVE ALL COMMENTS/SUGGESTIONS RAISED BY COUNTY ATTORNEY BEEN ADDRESSED/INCORPORATED; IF NOT, PLEASE EXPLAIN. A COPY OF FINAL COUNTY ATTORNEY MEMO RE THIS MATTER **MUST BE ATTACHED** (if comments were verbal, so indicate.)

<b>ATTACHMENTS:</b> (List in order as attached)	<b>INSTRUCTIONS TO BOARD RECORDS:</b>
1) Contract for Sale and Purchase 2) Location Map	Return executed copy to Land Acquisition, Transportation Department with a copy of contract to Anne Trapp in Finance. <del>CGG Charge Account #AR300026</del>
<b>COST</b> \$127,464 Contract	<b>SOURCE (ACCT# &amp; NAME)</b> 336-6004260-561000-0003 Buckeye Road - Project Management
<b>COMMENTS</b> N/A	<b>AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT)</b> N/A

**APPROVED IN OPEN SESSION**

MAR 13 2001

**BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA**

*36.*

**BACKGROUND/DISCUSSION**

- The road improvements for Buckeye Road, realigning the two 90 degree angle curves into one elongated “S” curve were approved in the November 10, 1992, Rural Thoroughfare Paving Program.
- An appraisal performed by R & W Enterprises, Inc. determined the market value of this acquisition as follows:

<b>Part Taken:</b>	
Fee Take	\$ 58,100 (excluding crop estimated at \$12,500)
Cost to Cure	\$ 6,300
Severance Damages	<u>\$ 41,300</u>
Total Compensation	<u>\$105,700</u>

- The seller’s initial counter-offer was in the amount of \$133,373.20 and a negotiated settlement in the amount of \$127,464 was agreed upon with the seller. (Difference of \$21,764)
- Property acquisition included road right-of-way for the new alignment, identified as Parcel 100, contains 5.34 acres and Parcel 100, Pond Site 1, contains 3.42 acres. (Total 8.76 ac) The seller is in agreement at our appraised value of \$6,500 per acre.
- The remainder property lying southeast of the new road alignment has been severed, in the after condition, into two remnants isolated from the balance of the remainder and cut off from the subject property’s irrigation system. Neither the 4.59 acres (Parcel A), nor the 1.25 acres (Parcel B) remnants are large enough to support a citrus grove agriculture use. The seller wants to include the severed parcels in the acquisition. The total would consist of 14.60 acres (8.76 ac for road improvements) (5.84 ac for the two severed parcels).
- The seller request that their irrigation well located on Parcel A (severed parcel) will need to be relocated, inasmuch as it will cause an operation and security problem created from the proposed alignment. This estimated cost is \$18,642.20.
- The additional cost over the county appraisal and the negotiated amount is essentially the cost of the new well (\$18,642.20) and the two severed parcels. (5.84 ac for \$3,122 @ \$535 ac)
- Seller is aware that upon completion of construction of the realignment of Buckeye Road, buyer, at no cost to seller, shall recommend to the BCC to consider the vacation of that portion on the existing maintained right-of-way lying adjacent to the seller’s property.
- Seller shall have a new well and shall retain the use of the present irrigation system, including well, until replacement well is in operation.
- Seller shall have access to all portions of his property by buyer providing three driveway aprons to be constructed as shown on the Driveway Locations Map attached to the Contract.
- Buyer shall have access to his groves during construction, as well as retaining ownership and harvesting of the present crop of trees on land being acquired.
- The above quoted purchase price is a negotiated figure representing a litigation avoidance settlement which eliminates additional costs for litigation, including fees for attorneys, property appraisers, land planners, engineers and surveyors.