

**MANATEE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

<b>SUBJECT</b>	63rd Avenue R/W Acquisition Parcel #142	<b>TYPE AGENDA ITEM</b>	Consent
<b>DATE REQUESTED</b>	March 27, 2001	<b>DATE SUBMITTED/REVISED</b>	March 13, 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. Transportation Director <i>Larry R. Mau</i>
<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>
<b>ADMINISTRATIVE APPROVAL</b>		<i>[Signature]</i>	

**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 David Kent Avise, for the purchase of right-of-way required for the road improvement of 63rd Avenue West, from US 41 to 15th Street East, at a cost of \$60,100.**

**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**

**CONTINUED ON PAGE 2**

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: (List in order as attached)</b>	<b>INSTRUCTIONS TO BOARD RECORDS:</b>
1) Contract for Sale and Purchase 2) Location Map	Return executed copy of contract to Land Acquisition, Transportation Department, with a copy to Anne Trapp in Finance. CCC Charge Account #AR 300026 Project Management
<b>COST</b> \$60,100 (contract)	<b>SOURCE (ACCT# &amp; NAME)</b> 309-6001860-552000/6001860-0003 (IFAS #) 63rd Avenue East
<b>COMMENTS</b> N/A	<b>AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT)</b> N/A

**APPROVED IN OPEN SESSION**

**MAR 27 2001**

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

**BACKGROUND/DISCUSSION:**

- The road improvement of 63<sup>rd</sup> Avenue West was approved in the 1991 CIP.
- The property is a 1,536 square foot residential duplex having a situs address of 816 63<sup>rd</sup> Avenue West.
- An appraisal report prepared by R&W Enterprises, Inc., dated November 30, 2000, valued the area of the 570 square foot of right-of-way to be \$1,700. It was determined by Landon, Moree & Associates, Inc., that the remainder of the property after construction would result in reduced setbacks, loss of three parking spaces and the road will be 2 feet above the existing grade at the back of the sidewalk.
- Therefore, due to the reduction in the front yard, public sidewalk, and the improved road with higher rates of speed, it is concluded that the dwelling will lack functional access and will become unsafe to replace. A severance damage of \$50,400 was attributed to the value, for a total appraised value of \$52,100.
- The owner originally counter-offered at \$130,000 for a whole purchase of the property. After further negotiations, the owner has agreed to a partial acquisition of the property and has made a counter-offer of \$60,100, for a difference of \$8,000.
- This is a litigation avoidance settlement which would eliminate additional costs for litigation, including fees for attorneys, property appraisers, land planners, engineers and surveyors. The Contract for Sale and Purchase for a Warranty Deed in the amount of \$60,100 is hereby presented to the BCC for execution.

63rd Avenue Road Improvement Project  
816 63<sup>rd</sup> Avenue West Acquisition

