



**Nathan
Collier's
Request to
Purchase
5.17 Acres for
\$1 Million**

Presented to the Gainesville City Commission
By Community and Conservation Solutions, LLC

May 16, 2013

The Request

- Starting in the late 2000's, Nathan Collier began approaching city staff and elected officials to request a sale or swap for 5.17+ acres surrounding his home just North of NW 8th Avenue on NW 22nd Terrace. His interest is in privacy and security of his home, which has been in his family for 30 years.
- The property is part of Loblolly Woods, and is zoned Conservation, and would remain in that category. It was not purchased with grant or government funds, but was donated by Phil Emmer to the City via Sam and Elizabeth Dell. No deed restrictions or other limitations were placed on the gift.

The Request

- Mr. Collier is willing to negotiate with the city regarding exact property boundaries and other matters.
- One of the original offers called for a conservation easement on the land at a price of \$50,000 per acre; Mr. Collier remains willing to honor this offer.
- The offer also includes a request to abandon and close a never-built paper street at NW 22nd Terrace between 9th Place and 11th Avenue.

The Donor Is Supportive of Sale

- Phil Emmer, who donated this property to the city, is supportive of this sale, as articulated in an editorial to the Gainesville Sun on January 14, 2013: “When Emmer Development Corp. developed Raintree, we knew the land at the south end of the property was wetlands and at the suggestion of Gary Junior offered it to the City of Gainesville. The city accepted the offer.”

The Donor is Supportive of Sale

- From Phil Emmer, Sun, January 14, 2013:
- “Collier’s offer to buy a portion of that land provides an unusual opportunity to the city to not only rejuvenate Glen Springs, but provide a beautiful area for recreation and relaxation that would benefit thousands more adults and children each year than the wetlands that my company gifted to the city without recompense. I strongly support Knight’s suggestion and hope the City Commission will accept Nathan Collier’s Offer.”

The Request



The Request



Older History

- For more than five years, Mr. Collier has made several attempts at working out an option that would satisfy the city's needs. He tried suggesting a conservation easement that would remain on the property to prohibit future development. He sought to purchase another property to swap with the city, and worked with non-profits, foundations, and other local landowners to find an agreement that would be acceptable to the city.

Recent History

- The matter was referred to the Parks, Recreation and Cultural Affairs Committee on August 9, 2011.
- On July 18, 2012, Mr. Collier's representatives met with city staff to inquire how to make a formal offer for the property.
- On October 15, 2012, Russ Blackburn wrote a letter outlining two process options.
- On October 22, 2012, Mr. Collier made a written offer of \$1 million to purchase the land.
- A Parks, Recreation and Cultural Affairs Committee meeting was held November 26, 2012. The Committee took action to forward the matter to the City Commission for consideration. Today's agenda item is bringing the Committee referral forward.

The City's Conservation Portfolio

- The City of Gainesville owns almost 2,000 acres in conservation land. Much of it has been acquired using grant and tax funds, including but not limited to general fund appropriations, state grants (Florida Communities Trust, Florida Forever), voter approved bond proceeds (Alachua County Forever), and sales taxes (Wild Spaces, Public Places). Many of these are subject to grant and bond restrictions that limit sale or swap.

Methods to Protect Land

- Development, use or disposition of land in public or private ownership can be limited through deed restriction, zoning or regulatory ordinance, conservation easement, bond covenants, the Registry of Protected Public Places and other means.
- Some other properties in public ownership have been accepted with deed restrictions (Lynch Park). Some have conservation easements (land surrounding the wellfield). Some have bond covenants (FCT-acquired Cofrin Park). Some are on the Registry of Protected Public Places (Morningside). This 5.17 acre property has no such restrictions. It is zoned for conservation, which would not change upon sale.

Improving the City's Conservation Portfolio

- The City of Gainesville has a longstanding goal of increasing the size, quality, and diversity of its conservation portfolio.
- The question the City Commission should ask is whether a sale of 5.17 acres of land with few extraordinary features for \$1 million will enable improvement of its portfolio. The City would never pay \$1 million to acquire this land, should it forfeit \$1 million to keep it?

What Is the 5.17 Acres Worth?

This land was donated to the city at no cost by Phil Emmer via Sam and Elizabeth Dell in 1980. The city paid nothing for the land. In 1989 another part of the same tax parcel was donated by Patricia C. McGriff to the City for \$10.

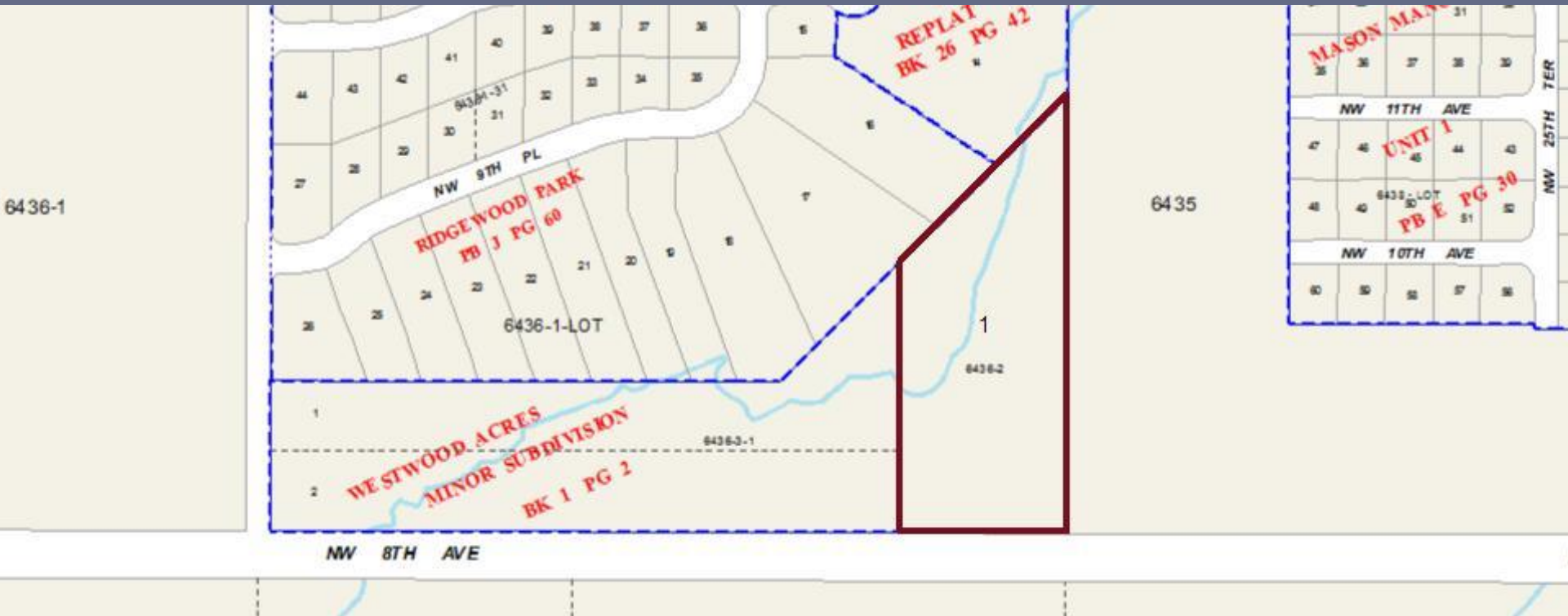
In July, 2012 Mr. Collier hired a respected local real estate appraiser, Emerson Appraisal, to estimate the land's value. He valued these 5.17 acres at \$75,000, or \$14,507 per acre.

The Property Appraiser's Office values the entire parcel #0635-000-000 (63.26 acres) at \$189,800. This is \$3,000 per acre.

Outparcel In Loblolly Woods

- A directly adjacent parcel is privately owned by a local non-profit. It is located between Mr. Collier's home and Ray Massey Westside Park. This parcel is 6 acres in size, has frontage on NW 8th Avenue, and is assessed at \$9,000, or \$1,500 per acre. Note that this property is within Loblolly Woods, contains a portion of Possum Creek, should be more actively managed, and could likely be acquired by the City for public ownership. It was acquired by Tax Deed in 1990, and is now eligible for title insurance.

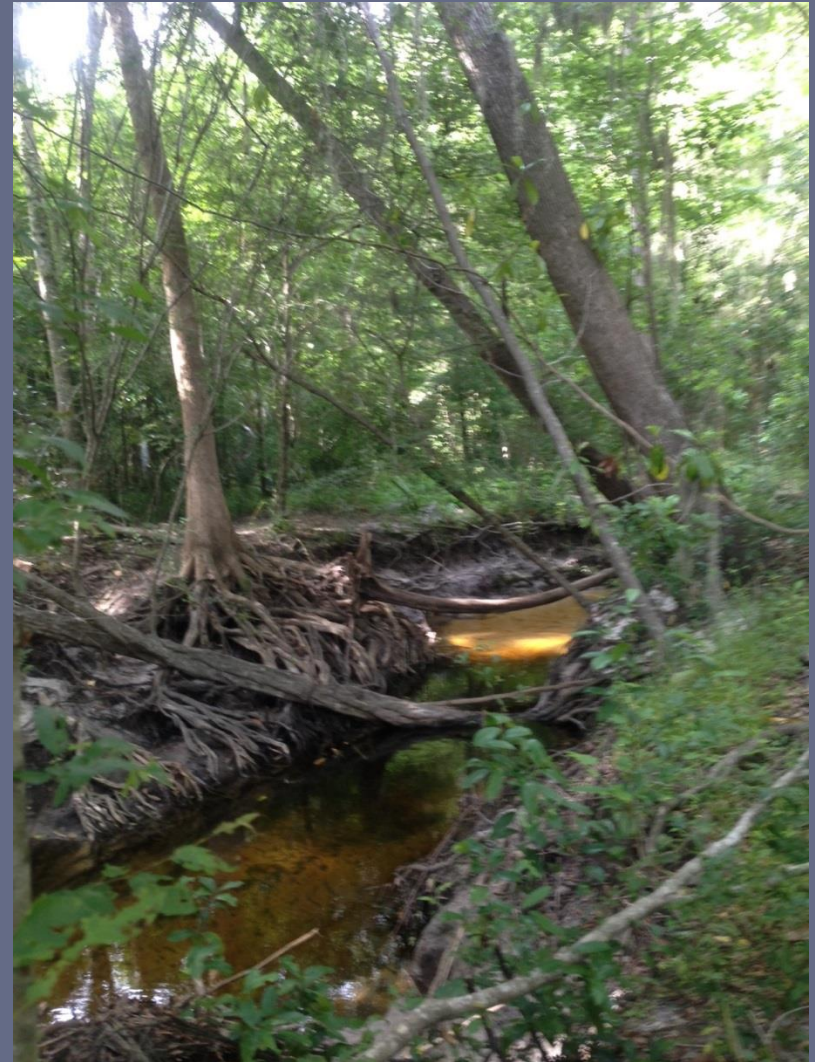
Outparcel In Loblolly Woods



Parcel Number 6436-002-000, 6 Acres
Per Emerson's Appraisal, likely worth approximately
\$75,000
Within Loblolly Woods, but not owned by the City

Outparcel in Loblolly Woods

- Contains a portion of Possum Creek
- Purchased for conservation purposes but not publicly owned.



What is the 5.17 Acres Worth?

- At the November Parks, Recreation and Cultural Affairs Committee Meeting, the City's Land Rights Coordinator, Sam Bridges, noted that the City has acquired 165 acres using \$2.5 million in Wild Spaces Public Places funds since 2009. This is \$15,545 per acre, within \$40 per acre of the estimate by Mr. Emerson for the 5.17 acres. For \$1 million, at \$15,545 per acre, you can buy 68.75 acres.

The Bottom Line: Nathan Collier is Offering \$193,242 per Acre

- Adjacent ACT-owned 6 acres at \$1,500/acre, per Property Appraiser: Collier offer is 129 times this value
- This whole parcel, per property Appraiser, at \$3,000 per acre: Collier offer is 64 times this value
- This parcel, using Emerson Appraisal: Collier offer is 13.3 times this value
- This parcel, using WSPP values: Collier offer is 12.4 times the value
- Is selling land for at least twelve times more than what it is reasonably worth a bad precedent to set? You could set a policy refusing to consider any offer for any public property unless the buyer offers at least ten times what it is worth. This offer meets that test.

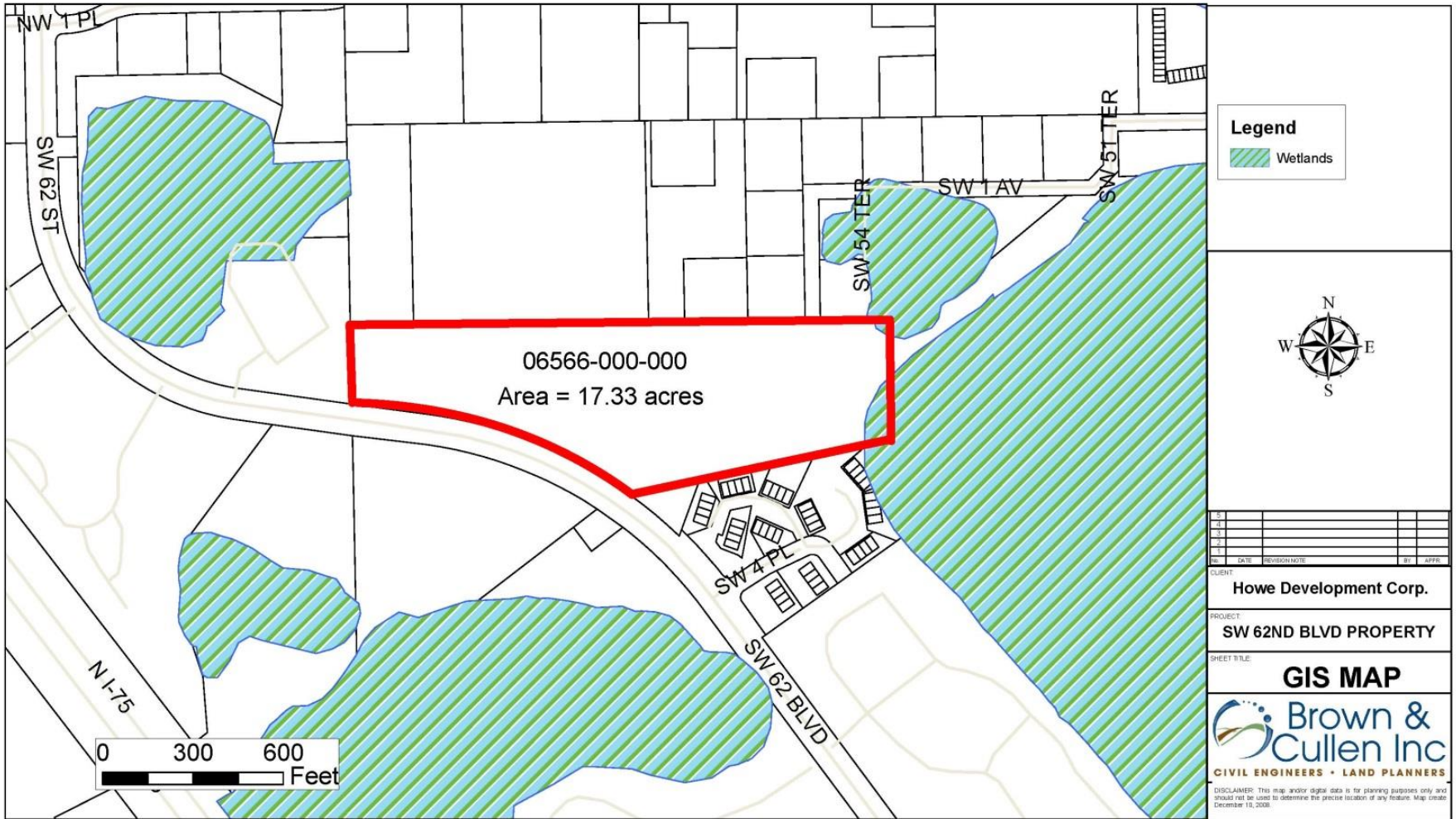
What would \$1 Million Buy?

- According to the City of Gainesville Comprehensive Plan Recreation Element 1.4.3, “Proceeds from the disposal or sale of any City-owned recreation and park properties shall be used for recreation and park infrastructure enhancement and improvements.”
- In Wild Spaces Public Places land acquisition projects, \$1 million bought 68.75 acres of highly valued conservation land: This is 13.3 times more land than the 5.17 acres Mr. Collier is seeking. All WSPP purchases have been since 2009.

What would \$1 Million Buy?

- Rubric Incorporated, the owner of a highly ranked property on the Wild Spaces, Public Places list remains interested in the possibility of a sale and contacted Mr. Collier. This 17.33 acres connects directly to a city-owned parcel that contains a well used trail, and is surrounded by wetlands, but is itself good quality uplands. It is located on SW 62nd Blvd, a highly developed area with good quality natural lands interspersed.

Rubric Incorporated – 62nd Blvd



Rubric Incorporated



This City of Gainesville sign faces onto the Rubric Incorporated Property, seemingly sending the message that trail users are encouraged to enter onto city land through private property.

An appraisal for WSPP was completed, but was far below the owner's price.

Rubric Incorporated





**Rubric
Incorporated
17.33 Acres
06566-000-000**

What would \$1 Million Buy?

- Mr. Collier has been approached by Bob Franks of the Elks Lodge, Dr. Bob Knight of the H.T. Odum Springs Institute, and Mr. Jeff Montgomery of the Rotary Club regarding purchase of Glen Springs. Mr. Collier has repeatedly stated that only the City Commission has the authority to decide what, if anything, would be purchased with any proceeds from a sale.

What would \$1 Million Buy?

- Glen Springs is a historic and iconic property that could be a valuable community asset to protect water and educate the public.



Glen Springs





Glen Springs

3.79 Acres

Parcel Number
09003-001-000

In Summary

- The 5.17 acres would remain in conservation zoning.
- This land has no legal limitations on a sale, as it was donated to the city at no cost and with no restrictions.
- The original donor, Phil Emmer, actively supports a sale.
- Mr. Collier's offer is for more than 12 times the appraised value of this property.
- For \$1 million, using Wild Spaces Public Places projects as a guide, the city could purchase as much as 68 acres of conservation land, or land of greater value such as one or more seen here.

In Summary

- There is a 6 acre outparcel within the boundary of Loblolly Woods about $\frac{1}{4}$ mile from this site in the same ecosystem in private ownership that could be acquired.
- There are numerous other valuable conservation and/or recreation lands that will likely be lost to development or kept from public access if they are not purchased.
- There is no other certain source of funding for conservation and recreation projects in the near future.
- Most other existing conservation lands cannot be sold due to other restrictions such as acquisition grant or bond requirements, being under conservation easement, or subject to the Registry of Protected Public Places.

Questions?

Thank you!