



Legislation Text

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Purchase of Real Property and Recording of Associated Documents

The purchasing authority granted to the City Manager under the Purchasing Policies adopted by the City Commission does not include real property. While it is the intent of the Public Works Department to acquire easements and/or fee simple title to property at no cost for purposes of constructing and/or maintaining its streets and drainage facilities, it is sometimes necessary to compensate the land owners for property rights. In those instances, staff recommends that the City Manager be given authority to negotiate such purchases and acquisitions of property rights consistent with his purchasing authority.

Items are also routinely placed on the City Commission agenda recommending acceptance of easement and fee documents and requesting authority for the Clerk of the Commission to record such documents in the public records of Alachua County. These documents are for routine property acquisitions which are required for the construction of street and drainage facilities. Many times the documents are weeks old by the time they are accepted by the City Commission. In order to best protect the interests of the City and assure that all acquisitions are a matter of record prior to any possible transfer of the property, it would be advisable to record the documents as soon as possible after they have been signed. Therefore, staff recommends that the Clerk of the Commission be given blanket authority to record any and all documents for the purchase or acquisition of land rights at such time as those documents are forwarded to his office for recording by the Public Works Department. The Public Works Department will prepare reports to the City Commission, as an informational item, of all easements and fee documents accepted and recorded. Releases and Partial Releases of Easements, the granting of easements across City owned property, and the disposition of City owned property will continue to be brought to the City Commission as has been past practice.

All purchases made under the above authorization will be subject to funds having been budgeted within the appropriate budget categories.

The City Commission: 1) authorize the City Manager to make purchases of real property or land rights necessary or desirable for construction and/or maintenance of streets and drainage facilities as follows:

a) property or land rights costing \$25,000 or less; b) settlement of any action in eminent domain for an amount not in excess of \$25,000 or 120% of the appraised value, whichever is more, for the property to be acquired plus reasonable attorneys fees and costs, provided the City Attorney shall have approved such settlement; c) purchase of fee simple title or easements which are required for a construction project that has prior City Commission approval, provided that funds are available within the project amount approved in the budget. Such authorization would be up to the amount approved by the City Commission for the project; 2) authorize the City Manager to execute any and all documents necessary to effect such purchases, subject to approval of the City Attorney as to form and legality; and 3) authorize the Clerk of the Commission to record in the public records of Alachua County any and all documents for the purchase or acquisition of land rights that may be necessary to conduct the day to day business of the City.