



## Legislation Details (With Text)

**File #:** 180807. **Version:** 1 **Name:**  
**Type:** Resolution **Status:** Adopted  
**File created:** 3/4/2019 **In control:** City Manager  
**On agenda:** 3/7/2019 **Final action:** 3/7/2019  
**Title:** Resolution to Declare Certain City-owned Property as Surplus - SW 24th Avenue and SW 38th Terrace (B)

This item involves a request to adopt a Resolution to declare certain City-owned property as Surplus and approve the sale to the adjacent property owner with associated easements.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 180807A\_Purchase Sale Agreement\_20190307.pdf, 2. 180807B\_Resolution to Surplus Property\_20190307.pdf, 3. 180807C\_Retention Basin Permanent Access Easement\_20190307.pdf, 4. 180807\_Resolution\_20190307.pdf

Date	Ver.	Action By	Action	Result
3/7/2019	1	City Commission	Adopted (Resolution) and Approved the Recommendation	Pass

### Resolution to Declare Certain City-owned Property as Surplus - SW 24th Avenue and SW 38th Terrace (B)

**This item involves a request to adopt a Resolution to declare certain City-owned property as Surplus and approve the sale to the adjacent property owner with associated easements.**

In 2018, the Department of Doing approved a site plan for the development of a parcel of land located on the northwest corner of SW 24<sup>th</sup> Avenue and SW 38<sup>th</sup> Terrace. Adjacent to this development, the City owns Tax Parcel 06727-001-000 which includes a stormwater retention basin and the driveway access to it from SW 38<sup>th</sup> Terrace. As part of the approved site plan, the developer included an improved pedestrian trail along a portion of the stormwater retention basin parcel. In addition, access to the private development's parking was approved over the City's driveway access to the basin. Staff believes it would be in the best interest of the City and the adjacent development to: 1) grant to the development an easement for the installation and use of a pedestrian trail on the City's stormwater retention basin; and 2) convey to the adjacent development by deed that portion of the driveway access to the stormwater retention basin, retaining access and utility rights. The proposed sale of the access area has been negotiated to \$40,000 considering the retainage of easement rights.

There is no impact with this request.

The City Commission: 1) adopt the Resolution to declare the retention basin driveway access from SW 38<sup>th</sup> Terrace as surplus and waive the competitive disposition requirement in order to convey the property to the adjacent property owner; 2) approve the Purchase and Sale Agreement to sell the driveway access property to the adjacent property owner, retaining access and utility rights, and authorize the Mayor to execute a Special Warranty Deed subject to the approval of the City Attorney as to form and legality; and 3) approve the granting of a permanent access easement to the adjacent property owner for use of the pedestrian trail to be constructed

by the adjacent property owner along the subject portion of the stormwater retention basin.