



## Legislation Details (With Text)

**File #:** 190671. **Version:** 1 **Name:**  
**Type:** Resolution **Status:** Adopted  
**File created:** 11/19/2019 **In control:** City Manager  
**On agenda:** 12/5/2019 **Final action:** 12/5/2019  
**Title:** Exchange of Real Property for the Southeast 4th Street Reconstruction Project (B)

This item involves a request to declare as surplus and approve an exchange of properties for the SE 4th Street Road Project with Ashley P. Reeb.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 190671A\_FARBAR City as Buyer Page 1 Revised\_20191205.pdf, 2. 190671B\_Resolution for Exchange 11182019\_20191205.pdf, 3. 190671C\_Parcel Aerials\_20191205.pdf, 4. 190671\_Resolution\_20191205.pdf, 5. 190671\_Special Warranty Deed\_20191205.pdf

Date	Ver.	Action By	Action	Result
12/5/2019	1	City Commission	Adopted (Resolution)	Pass

### Exchange of Real Property for the Southeast 4<sup>th</sup> Street Reconstruction Project (B)

This item involves a request to declare as surplus and approve an exchange of properties for the SE 4th Street Road Project with Ashley P. Reeb.

On February 18, 2010 the City Commission declared parcel number 11367-000-000, located at 1718 Northeast 4<sup>th</sup> Avenue (“City Property”), as surplus and approved the conveyance of the parcel to Alachua Habitat for Humanity, Inc. (“Habitat”) to be used for the development of new affordable housing for an income qualified low-income first-time homebuyer. The City Property was conveyed to Habitat by quit claim deed and recorded in Official Records Book 3941, Page 1242 on March 9, 2010. The deed contained a reverter clause which required Habitat to complete construction and receive a certificate of occupancy within two years from the date of execution of the deed, as well as convey the City Property with the constructed dwelling as required within 90 days of the completion of construction. Habitat did not meet the requirements of the reverter clause and, therefore, conveyed the City Property back to the City on March 19, 2012 by quit claim deed recorded in Official Records Book 4096, Page 510.

The City now has a need to acquire Right-of-Way from the property owned by Ashley P. Reeb, located at 949 Southeast 4<sup>th</sup> Street with a Tax Parcel ID Number of 16032-000-000 (“Reeb Property”), to fully complete the Southeast 4<sup>th</sup> Street Reconstruction Project (“Project”). Ms. Reeb desires an exchange of land in lieu of payment for the land rights and has approved the City Property as an acceptable trade after other potential surplus properties were initially presented.

Staff is seeking approval to declare City-owned Tax Parcel Number 11367-000-000 as surplus and to achieve a specific objective according to the City’s Real Estate Policies, namely to exchange this City Property for a deed to the western 639± square feet of the Reeb Property so that the City may complete the Project according to the design plans.

The City Property is currently priced at \$1.31 per square foot, and the Reeb Property is currently priced at \$1.50 per square foot based on the Just Value for each parcel.

If the exchange is not approved, the other alternatives are costly for the City. The options would be: 1) start condemnation proceedings on the Reeb Property; or 2) revise the construction plans with the subcontractor to redirect the sidewalk and bike paths to the western side of Southeast 4<sup>th</sup> Street and back again to the eastern side to circumvent the Reeb Property entirely. This option would greatly affect the flow of pedestrian and bicycle traffic in this area and is not the original intent of the Project.

GRU has requested that the south ten (10) feet of the City Property be reserved as an easement for possible future service.

Staff believes the exchange of property for the requested land rights is in the best interest of the City.

Funds for recording the instruments are available in the Southeast 4<sup>th</sup> Street Renovation Project budget. Additionally, the City will receive revenue once the City Property is placed back on the tax rolls.

The City Commission: 1) approve the Resolution declaring the City Property, as further described therein, as surplus, reserving the south ten (10) feet for a public utility; 2) authorize the City Manager to execute the contract for the purchase and sale of real property, subject to review and approval of the City Attorney's Office as to form and legality; and 3) authorize the Mayor to execute, and the Clerk to attest, the Special Warranty Deed conveying the City Property to Ashley P. Reeb, subject to review and approval of the City Attorney's Office as to form and legality.