



Office of

Consent Agenda 01/21/2020

INDIAN RIVER COUNTY ATTORNEY

Dylan Reingold, County Attorney
William K. DeBaal, Deputy County Attorney
Susan J. Prado, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners

THROUGH: Richard B. Szpyrka, P.E., Public Works Director

FROM: William K. DeBaal, Deputy County Attorney

DATE: January 13, 2020

SUBJECT: Agreement to Purchase and Sell Real Estate with Balquees, LLC

On June 18, 2019, the Board of County Commissioners approved an Agreement to Purchase and Sell Real Estate with Balquees, LLC for a 10.55 acre unimproved parcel at a price of \$474,750. The property lies on the north side of 45th Street between 43rd and 59th Avenues and is zoned IL, light industrial and abuts Custom Marble and Granite to the west. To accommodate the future planned improvements to 45th Street, the County needs to acquire this parcel for stormwater treatment and compensatory storage purposes for the project. The proposed improvements will include relocating the current two-lane road with (2) two 12-foot lanes, (2) two 5-foot bike lanes and a 6-foot sidewalk. In addition, there will be a dedicated westbound left turn lane added at the 58th Avenue intersection.

After the Agreement was approved by the Board in June, the County had a Phase I Environmental Assessment performed on the property. A Phase I Assessment provides details on the previous uses of the property and site inspections, but no testing. The Phase I Assessment showed evidence of possible contaminants on the property, so a Phase II Assessment was conducted and testing on the possible contamination was performed. Results of the tests were negative for contaminants and the report concluded that the property could be used for stormwater treatment and compensatory storage purposes as planned by the County. By the time the results of the Phase II Assessment were completed, the Agreement had expired so the Parties entered into a new agreement removing any environmental contingencies and providing a closing 30 days from the date of approval by the Board. The Agreement to Purchase and Sell is attached to this memorandum.

The County obtained an appraisal of the property indicating a value of \$450,000.00, and the Board approved a purchase price of \$474,750.00 for the 10.55 acre property in June. That price remains unchanged and the current contract keeps the purchase price for the property at \$474,750.00.

FUNDING

Funds for this expenditure are budgeted and available from Traffic Impact Fees/District II/ROW/45th Street/58th to 43rd Avenue. Account # 10215241-066120-17028.

RECOMMENDATION

Staff recommends the Board approve the Agreement to Purchase and Sell Real Estate with Balquees, LLC for \$474,750.00 for the 10.55 acres of property located at 4710 45th Street, Vero Beach, FL 32967, and authorize the Chairman to execute the Agreement on behalf of the Board.

ATTACHMENT

Agreement to Purchase and Sell