



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBaal, Deputy County Attorney
Kate Pingolt Cotner, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners

FROM: William K. DeBaal – Deputy County Attorney *WCD*

DATE: January 20, 2017

SUBJECT: Resolution Formally Designating a Portion of County Owned Property for 26th Street and 54th Avenue Right-Of-Way

The County was approached by Michael J. Giessert and Lisa B. Giessert, asking if the County desired to purchase their property located on the northwest corner of 26th Street and 54th Avenue for the County's future 26th Street widening project; and in September, 2016 the County did purchase the property (a metes and bounds description within Tract 14, Section 33, Township 32 South, Range 39 East) for future road expansion of 26th Street in order to avoid future expert witness costs and attorney's fees in an eminent domain process which would ultimately be necessary when the road expansion project was ready to proceed.

The intent of the County is to now earmark by a formal document that portion of the property for right-of-way so that the remainder can be re-sold and put back on the tax rolls. In this regard, a resolution has been prepared to designate a portion of that property for future right-of-way, thus alleviating any boundary issues that may surface in the future with respect to the re-selling of the remainder property.

FUNDING:

The only cost associated with this matter will be recording fees for recordation of the resolution in the amount of \$61.00. Funding for this expenditure is budgeted and available in Account No. 10215241-066120-06011 (Traffic Impact Fees/District 2; 26th Street, 43rd Avenue to 58th Avenue, right-of-way).

RECOMMENDATION:

Adopt the resolution, and authorize the Chairman to execute same for recordation in the Public Records of Indian River County, Florida.

nhm
attachment

cc: Mapping Section, IRC Property Appraiser's Office