



Office of

Attorney's Matters 03/08/2022

**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: February 28, 2022

SUBJECT: Sale of 0.07 Acre Parcel of land on Old Dixie Highway to MJMC-2, LLC

The County owns a 0.07-acre parcel of unimproved land located on the east side of Old Dixie Highway between 39th and 41st Streets, Vero Beach, FL, as depicted on the aerial photo attached (Property). The Property is zoned CG, General Commercial, and lies inside of the Urban Services Boundary and was acquired via a tax deed in 2000. Due to its small size, it is an unbuildable lot and is not needed for right-of-way for Old Dixie Highway.

Adjacent to the Property to the east is a 25' wide strip of right-of-way consisting of 0.050 acres that is also depicted on the aerial photo attached. WHPG, Inc., a Florida corporation, owns the parcel of land located at 3990 Old Dixie Highway adjacent to the right-of-way and is also depicted on the aerial photo attached. WHPG seeks to develop its parcel for auto storage with MJMC-2, LLC.

MJMC petitioned to have the right-of-way strip abandoned so it may be combined with the Property to provide more direct access to the MJMC parcel via Old Dixie Highway. The parties arrived on a purchase price \$1,500.00 for the Property based on an appraisal done by Armfield and Wagner. A copy of the appraisal is available for review in the County Attorney's Office. Since the County acquired the Property via Tax Deed, it will convey title via County deed and make no warranty as to the title. Pursuant to state statute, no public bidding is needed to sell the Property as it is an unbuildable lot.

Abandonment of the adjacent right-of-way parcel will be brought before the Board at a

Purchase of 0.07 Acres by MJMC

March 3, 2022

Page | 2

later date after the required public notice and advertising has been completed. You will note in the Addendum to the Agreement that this sale is contingent upon the Board's approval of the right-of-way abandonment. If the Board does not approve the abandonment petition, this Agreement becomes null and void.

Funding: The \$1,500.00 in proceeds received will be deposited into the General Fund/Misc./Other Misc. Revenues, Account # 001038-369900.

Recommendation: Staff recommends the Board approve the Agreement to Purchase and Sell Real Estate to MJMC-2, LLC for the price of \$1,500.00 and authorize the Chairman to execute the Agreement and Addendum with MJMC-2, attached.

Attachments: Aerial photo
Agreement to Purchase and Sell Real Estate
Addendum to Agreement to Purchase and Sell Real Estate