



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: Dylan Reingold, County Attorney
DATE: November 2, 2016 *DR*
SUBJECT: 1016 Booker Street - County Deed to City of Fellsmere

BACKGROUND

In 2004, the property located at 1016 Booker Street, legally described as Lot 194, Block 8, Hall, Carter & James Subdivision, according to the plat thereof as recorded in Plat Book 3, Page 31, Public Records of St. Lucie County, Florida, within the City of Fellsmere (the "Property"), escheated to Indian River County. In 2009, Indian River County deeded the property to Every Dream Has A Price, Inc. with various restrictions concerning its use for affordable housing. Unable to utilize the Property, in 2010, Every Dream Has A Price, Inc. deeded the Property back to Indian River County. Recently, the City of Fellsmere expressed an interest in the Property for use for parking, drainage or affordable housing. The Property is located adjacent to three lots currently owned by the City of Fellsmere.

Approved for November 15, 2016 BCC Meeting
Attorney's Matters

 COUNTY ATTORNEY

Indian River Co.	Approved	Date
Admin.		
Co. Atty.	<i>DR</i>	<i>11/2/16</i>
Budget		
Department		
Risk Management	---	---

Pursuant to Section 125.38, Florida Statutes, Indian River County can convey the Property to the City of Fellsmere, so long as the Board of County Commissioners of Indian River County (the "Board") is satisfied that the Property is not needed for county purposes. In order to convey the Property, the Board must adopt a resolution setting forth the purpose for which the Property will be used and the price for the Property. The County Attorney's Office has drafted both the County Deed and the appropriate resolution. At the request of the City of Fellsmere, the County Deed eliminates the restrictions concerning use for affordable housing purposes.

FUNDING.

There is no funding associated with this item. All costs for recordation of the County Deed will be paid by the City of Fellsmere.

RECOMMENDATION.

The County Attorney's Office recommends approving the attached resolution and County Deed and authorizing the chair to execute any and all documents to effectuate same.

ATTACHMENT(S).

Proposed Resolution
County Deed