

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Honorable Chairman and
Members of the Board of
County Commissioners

DATE: 10/8/10

FILE: REA11-021

THRU: Bipin Parikh, P.E.
Assistant County Administrator
(Development Services)

SUBJECT: Gulf Trace Boulevard - Progress
Energy Florida, Inc. Agreement for
Sale and Purchase; Recording of
Warranty Deeds, Quit Claim Deed, and
Perpetual Easement from Sun
Automotive, Inc., and Warranty Deed
from Melody Mickler, Trustee;
Resolutions Canceling Taxes; 19-26-
16-0010-05800-0000, 30-26-16-0010-
01900-0000 and 30-26-16-0010-
02100-0010; Sections 19 and 30,
Township 26 South, Range 16 East

FROM: James C. Widman, P.E.
Engineering Services Director/
County Engineer

STAFF: Robert Baltzer,
Right-of-Way Agent

REFERENCES: Commission District 3

It is recommended that the data herein presented be given formal consideration by the Board of County Commissioners (BCC).

DESCRIPTION AND CONDITIONS:

The realignment of Gulf Trace Boulevard requires the acquisition of property from three separate entities: Sun Automotive, Inc. (Sun Automotive), Melody Mickler, Trustee (Mickler), and Progress Energy Florida, Inc. (Progress Energy).

Sun Automotive is conveying the necessary parcels as a condition of its development approval. It will also construct the realignment after all of the parcels are acquired. Mickler is conveying its parcel pursuant to the Notice of Forthcoming Grants of Easements recorded at OR Book 1205, Page 1095. And the Real Estate Division was asked to acquire approximately 180 feet of Progress Energy's transmission corridor. Progress Energy has agreed to the conveyance with the following conditions, which are further described in the attached Sale and Purchase Agreement:

- Pasco County with Sun Automotive Inc., will install a fence on the east and west sides of the new road, with 16-foot gates for Progress Energy to be able to access their transmission corridor.
- Pasco County will pay up to \$1,500 for Progress Energy's attorney's fees.
- Progress Energy will reserve an easement for itself.

The Real Estate Division requests the BCC approve the Sale and Purchase Agreement, authorize the Chairman to sign the Agreement, and authorize the funding for the work and fees described in the Agreement.

The Real Estate Division also requests the BCC accept and approve for recording the conveyance documents from Sun Automotive and Mickler, and approve the resolutions canceling taxes for all of the parcels acquired by the County.

<u>Owner's Names</u>	<u>Section, Township and Range</u>	<u>Project</u>	<u>Amount Acquired</u>
Progress Energy of Florida, Inc. P.O. Box 14042 St. Petersburg, FL 33733	30-26-16	RZ6754	25,622 s.f. mol
Sun Automotive, Inc. 4023 U.S. Highway 19 New Port Richey, FL 34652	19-26-16	Sun Automotive, Inc./ Gulf Trace Boulevard	184,583 s.f. mol
Melody Mickler 133 N. Pinellas Tarpon Springs, FL 34689	30-26-16		9,287 s.f. mol

<u>Tax Folio Number</u>	<u>Date of Acquisition</u>
30-26-16-0010-02100-0010	T/B/D
19-26-16-0010-05800-0000	09/01/2010
30-26-16-0010-01900-0000	04/08/2009

ALTERNATIVES AND ANALYSIS:

1. Approve the Purchase and Sale Agreement with Progress Energy of Florida, Inc., and accept and record the attached warranty deeds from Sun Automotive and Melody Mickler, and approve the Resolutions Canceling Taxes for the above acquisitions.
2. Do not approve the Purchase and Sale Agreement with Progress Energy of Florida, do not accept the conveyances from Sun Automotive and Melody Mickler, do not approve the Resolutions Canceling Taxes, and do not allow the realignment of Gulf Trace Boulevard.

RECOMMENDATION AND FUNDING:

The Engineering Services Department, Real Estate Division recommends that the BCC approve Alternative No. 1, authorize the Chairman to execute the Agreement for Sale and Purchase of Property, and all documents necessary for closing, authorize the Clerk's Office to fund an amount not to exceed \$1,500.00 for attorney's fees when provided an invoice from Progress Energy and further authorize the Chairman to execute the Resolutions Canceling Taxes, and direct the Board Records Department to record the Resolutions Canceling Taxes, Warranty Deeds, and forward the executed copies as follows: retain the originals; one copy of each to the Property Appraiser's Office, New Port Richey for action; one copy of each to the Tax Collector's Office, Dade City for action; one copy of each to the Survey Division, New Port Richey, for action; and one copy of each to Robert Baltzer, Real Estate Division, New Port Richey.

County funding is contained in account number: B103-820410-66699 \ 600178

Amount to be determined not to exceed \$1,500.00

Make Check payable to:
 Attn: Kathleen Small
 Progress Energy of Florida, Inc.
 299 First Avenue, North, PEF 143
 St. Petersburg, FL 33701

ATTACHMENTS:

1. Agreement for Sale and Purchase with Progress Energy of Florida, Inc.
2. Agreement Letter from Progress Energy of Florida, Inc.
3. Three (3) Warranty Deeds from Sun Automotive, Inc.
4. Quit Claim Deed from Sun Automotive, Inc.
5. Resolution Canceling Taxes for Sun Automotive, Inc. conveyances
6. Perpetual Easement for Sun Automotive, Inc.
7. Warranty Deed from Melody Mickler,
8. Resolution Canceling Taxes for the Melody Mickler conveyance
9. Overview Map