

TAB 8



City of Palmetto Agenda Item

Meeting Date

12/7/09

Presenter: Mark Barnebey

Department: City Attorney

Title:

Sale of property located at 924 5th St. West at less than fair market value (CBI Property)

Background:

An RFP was advertised on September 14, 2009 and one response was received on October 14th from Karen Raimer and Mark Alkire(see attachment). The CRA Advisory Board unanimously voted to accept the proposal with certain stipulations that would be written into the sales contract. On November 2, 2009 the CRA Board reviewed the proposal and voted unanimously to accept the proposal subject to the stipulations and approval by the City Commission to sell the property for less than fair market value at a future public hearing.

As part of the proposal, the property is being sold at less than fair market value. Section 163.380, Florida Statute states that the governing body is required to hold a public hearing prior to disposing of property for less than fair market value. The total just value according to the Manatee County Property Appraiser for this parcel is \$291,568. The proposed purchase price for this property is \$100,000.

A sales contract will be brought back to the CRA Board for approval prior to selling the property.

Budgeted Amount: NA Budget Page No(s): NA Available Amount: NA Expenditure Amount: NA

Additional Budgetary Information: If approved, a budget amendment will be required to increase revenues associated with the sale of the property.

Funding Source(s): NA Sufficient Funds Available: X Yes, [] No Budget Amendment Required: X Yes, [] No Source: []

City Attorney Reviewed: X Yes, [] No, [] N/A Advisory Board Recommendation: X For, [] Against, [] N/A Consistent With: [] Yes, [] No, [] N/A

Potential Motion/ Direction Requested: Motion to approve the sale of property located at 924 5th Street West by the CRA for \$100,000 which is less than fair market value and will be subject to final contract review by the City Attorney and approval of the CRA Board.

Staff Contact: Jeff Burton and Mark Barnebey

Attachments: CRA Advisory Board Recommendation; Proposal with drawings from Mark Alkire and Karen Raimer; Property Value per Manatee County Property Appraiser; FS 163.380

CRA ADVISORY BOARD
October 26, 2009
SPECIAL MEETING

COMMENTS AND
RECOMMENDATIONS

CBI BUILDING RFP RESPONSE
924 5TH STREET WEST

On September 14, 2009, a RFP was advertised in *The Bradenton Herald* for the property located at 924 5th Street West, Palmetto, Florida. The submission deadline for proposals was October 14, 2009 at 2:00 PM. Only 1 response was received. That single response was from Karen Raimer and Mark Alkire.

The CRA Advisory Board unanimously voted to request the approval of the CRA Board to accept the proposal with certain conditions. The specific motion is cited on the following pages.

Mr. Costides moved; Ms. Price seconded and the motion carried unanimously to request CRA Board approval of the single response from Raimer/Alkire for the RFP issued 9-14-2009 for the development of the property located at 924 5th Street West, Palmetto, Florida and authorize the negotiation of a contract should include but not be limited to the following terms:

- 1. In the event the development is not completed (no CO issued) within 2 years of the date of contract approval, the CRA will be entitled to re-acquire the property at no cost to the CRA.**
- 2. The site will not be eligible for a Façade Enhancement Program Grant (Storefront Grant) for a period of 10 years,**
- 3. The owners will allow parking for public events which do not conflict with their own parking needs**
- 4. The design is to be substantially consistent with that presented to the CRA Advisory Board/CRA Board and the 2 sides not shown shall be similar in design to the front side and renderings should be brought back with the contract.**
- 5. Environmental testing shall be paid for by the purchasers.**

- 6. Any reasonable request for extension to complete the project shall not be unjustly withheld by the CRA.**

PROPOSAL

**FOR THE DEVELOPMENT OF A COMERCIAL BUILDING
LOCATED AT 824 5TH STREET WEST
PALMETTO, FLORIDA**

**SUBMITTED TO THE CITY OF PALMETTO
COMMUNITY REDEVELOPMENT AGENCY**

**Karen Raimer/Mark Alkire
1112 Riverside Drive
Palmetto, Florida 34221
(813)600-0445 FAX (813)258-4533**

Karen Raimer/Mark Alkire
Proposal for the Development of a Commercial Property
924 5th Street West, Palmetto, Florida

Submitted to the City of Palmetto Community Redevelopment Agency
October 15, 2009

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Attachments

Preliminary Site Plan
Exterior Elevations

Project Summary – page 1

Karen Raimer and Mark Alkire will form a single purpose entity (the :Developer to purchase, permit, dvelop and lease the property located at 924 5th Street West, Palmetto, Florida (the “Property”) now owned by the City of Palmetto Redevelopment Agency (the “CRA)

The Developer will be a Florida Limited Liability Company to be formed.

The Property will be improved by an extensive renovation to the existing 12,000 SF building

The Developer propose to purchase the Property for \$100,000, payable as follows: \$20,000 as a refundable deposit, upon completion of testing and structural analyses and Purchase Agreement such amount to become nonrefundable upon Developer obtaining necessary zoning, site plan approval and general development approval of the project as well as documentation that no hazardous contaminants precluding development of medical offices on the site. Balance of ~~\$60,000~~ to be paid in cash at closing. Developer will convey the portion of the site used for perpendicular parking on 5th Street West and 9th Avenue West to the City for public use as well as an interlocal agreement for public use of the balance of the parking on weekends and evenings.

Upon signing a definitive agreement with the CRA the Developer will immediately complete a site plan for the project and submit it to the City for approval The Developer will also complete the construction documents for the project on a timely basis and submit them to the City for the issuance of a building permit. Upon approval of the site plan the Developer will begin site improvrmnts and upon the issuance of a building permit the Developer will start construction. It is estimated the Phase 1 , Exterior façade work and completion of a 2000 SF medical office will take approximately six months.

*H
80,000.00

Project Description-page 2

A new brick veneer façade with stucco accents will present an opportunity to use a fifteen foot module to “break up” the existing large building into leasible portions. The exterior work will allow this building to connect with the Old Main Street structures and reinforce the circa 1920s small town ambience.

Approximately 3600 SF will be developed as office space with the first phase being a 2000 SF medical office. The balance of the space will be completed for tenants that fit the artisan/craftsman profile but do not require the level of finish that the professional space will have. Examples of the tenants will be art gallery, antique shop, restoration of vintage or classic vehicles or a builder of wooden boats.

Landscaping and brick paver trim will compliment the structure with entry drives from 5th Street West and 9th Avenue West.

Proposed site plan and exterior elevations are attached.

Development Team-page 3

Karen Raimer and Mark Alkire are practicing physicians and reside at 1112 Riverside Drive in the Lamb House. They purchased this house and began an extensive renovation project which has resulted in one of the best known Palmetto landmarks. The goal is to continue this quality of project to the proposed commercial development located at 924 5th Street West.

The architect for the project is Mary Marsh Lasseter. Some projects completed in Palmetto are listed below:

Relocation/renovation of the historic Harrison Barn at the Manatee Fairground
Relocation/Repair of the Post Office in the Historical park
Relocation/Repair of the one-room school in the Historical park
Elevator/Restroom addition/renovation/repair of the Carnegie Library
New Chapel in the Historical Park
Remodel existing building for the Agriculture Museum
Renovation/addition to the Olympia Theater
Renovation/addition to the Lamb house for Karen Ramier and Mark Alkire

The New Exhibition Hall at the Manatee Fairground is a current project

Leasing and Marketing for the project has not yet been assigned.

The general contractor has not been named but will be licensed in Florida and qualified to do business in Manatee County and Palmetto.

Preliminary Schedule – page 4

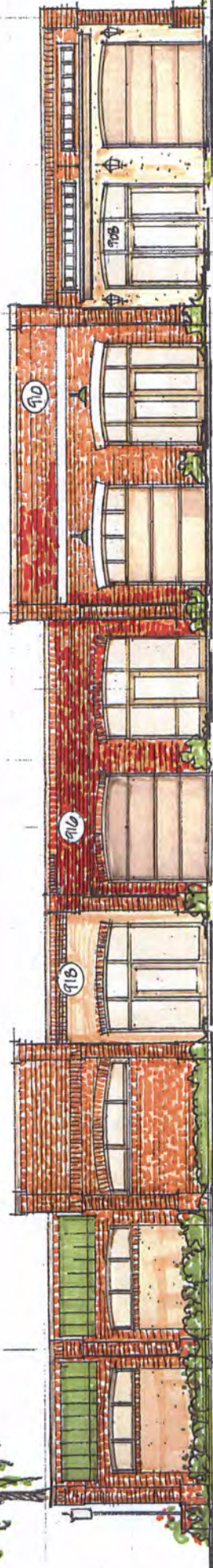
Description	Period	Total
Award		
Complete testing, contract for purchase	30 days	30 days
Zoning and Site Plan Approval	120 days	150 days
Closing	30 days	180 days
Complete construction documents	30 days	210 days
Building permits issued	30 days	240 days
Construction of the project	180 days	420 days
Project complete		420 days

Preliminary Budget - page 5

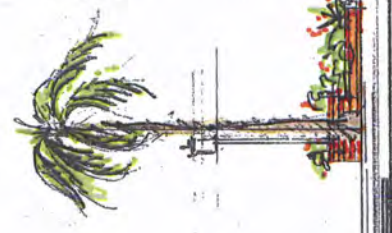
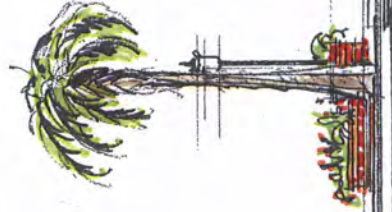
Karen Raimer/Mark Alkire
Proposal for the Development of a
Commercial Property
924 5th Street West
Palmetto, Florida 34221
October 15, 2009

Expenses/Construction Cost

Land	\$100,000
Architecture/Engineering	30,000
Testing/Demolition, Cleanup	15,000
460 Linear Feet of Façade	130,000
2000 SF Office Build-out @ \$100/SF	200,000
1600 SF Vanilla Box @ \$65/SF	104,000
8400 SF Open Space Ready for Tenant Build-out @\$15/SF	126,000
Sitework	85,000
Total	\$790,000



ELEVATION FROM 9TH AVENUE WEST 1"=10'-0"



PROPOSERS CERTIFICATION

STATE OF Florida

COUNTY OF MANATEE

I, Mark Azzie, m.d.
Karen Raimier, m.d. of VINTAGE Palmetto 924 (name of company),
proposing to furnish the following described materials, equipment, and/or services to the PALMETTO
COMMUNITY REDEVELOPMENT AGENCY (the "CRA") _____

HEREBY CERTIFIES THAT:

1. Bidder/Proposer has thoroughly inspected the specifications or request for proposal and understands the terms and conditions thereof and they are incorporated by reference in the bid or proposal for said goods or services, and have verified measurements.
2. The bid or proposal is firm and binding and shall be valid for not less than sixty (60) days from the date of bid opening. A longer time may be set out in the bid, the proposal, or as negotiated between the Bidder/Proposer and the CRA.
3. The bid or proposal is made by a person authorized to bind the Bidder/Proposer.
4. The bid or proposal is made without unlawful collusion between another Bidder/Proposer or potential Bidder/Proposer, or with any officer or employee of the CRA.
5. The bid or proposal is in full compliance with the Copeland Anti-kickback statute.
6. The bidder does not discriminate on the basis of race, color, national origin, sex, religion, age, or handicapped status in employment or in the provision of services.

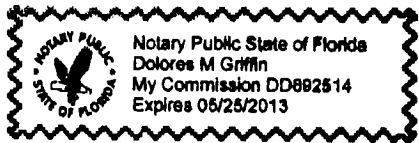
Print Name: Mark Azzie, m.d.
KAREN RAIMIER, M.D.

STATE OF Florida
COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 10th day of October, 2009 by
Mark Azzie, M.D. Karen Raimier, as Representatives (title) of Vintage
Palmetto 924 (name of company), on behalf of Corporation (type of entity).

who is personally known to me,
 who produced _____ as identification, who did take an oath, and who
acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

(Notary Seal)



Dolores M. Griffin
Signature
Dolores M. Griffin
Print Name
NOTARY PUBLIC-STATE OF _____
My Commission Expires: _____
Commission No. _____

NO LOBBYING AFFIDAVIT

STATE OF FLORIDA
COUNTY OF MANATEE

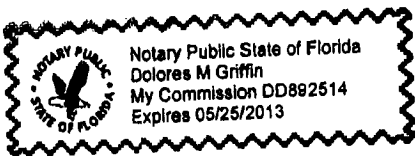
This, 18th of October, 2009 Mark Alvie + Karen Raimie
being first duly sworn, deposes and says that he or she is the authorized representative of
(Name of the authorized contractor, firm or individual), maker of the attached request for proposal
released by the City of Palmetto, and that the proposer and any of its agents agrees to abide by the City of
Palmetto's no lobbying restrictions in regards to this solicitation.

Mark Alvie + Karen Raimie
Affiant

The foregoing instrument was acknowledged before me this 18th day of October, 2009,
by Mark Alvie Plus Karen Raimie (name of person, officer, or agent, title of officer
or agent), of Vintage Palmetto (name of corporation or
partnership, a corporation (state of incorporation or partnership, if applicable).

- who is personally known to me,
- who produced _____ as identification, who did take an oath, and who
acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

(Notary Seal)



~~Mark~~
Dolores M. Griffin
Signature
Dolores M. Griffin
Print Name
NOTARY PUBLIC-STATE OF _____
My Commission Expires: _____
Commission No. _____

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), FLORIDA STATUTES, means any natural person or entity organized under the laws of any state of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement (indicate which statement applies).

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one (1) or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (Attach a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICE FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

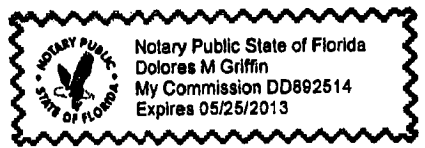
Date: 10/18/09

Signature *Mark Alkire*

STATE OF Florida
COUNTY OF Polk Manatee

The foregoing instrument was acknowledged before me this 18th day of October, 2009, by Mark Alkire & Karen Baines, as Representatives of Vintage Palmetto 924, on behalf of Corporation.
 who is personally known to me, or who produced _____ as identification, who did take an oath, and who acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

(Notary Seal)



Signature *Dolores M. Griffin*

Print Name Dolores M. Griffin

NOTARY PUBLIC-STATE OF _____

My Commission Expires: _____

Commission No. _____

DRUG FREE WORK PLACE CERTIFICATION

SWORN STATEMENT PURSUANT TO ORDINANCE NO. 505, AMENDING CHAPTER 2, SECTION 2-57, PALMETTO CODE OF ORDINANCES, ON DRUG FREE WORK PLACES.

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICAL AUTHORIZED TO ADMINISTER OATHS.

This sworn statement is submitted to the Palmetto Community Redevelopment Agency (the "CRA"), by: Michelle Avenue & Karen Palmetto
(Print individuals name and title)

For: _____
(Print name of entity submitting sworn statement)

Whose business is: VINTAGE Palmetto group
and (if applicable) its Federal Employer Identification Number (FEIN) is _____. (If the entity has no FEIN, include the social security number of the individual signing this sworn statement: _____)

I understand that no person or entity shall be awarded or receive a CRA contract for public improvements, procurement of goods or services (including professional services) or a CRA lease, franchise, concession or management agreement, or shall receive a grant of CRA monies unless such person or entity has submitted a written certification to the CRA that it will provide a drug free work place by:

1. Providing a written statement to each employee notifying such employee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance as defined by §893.02(4), Florida Statutes, as the same may be amended from time to time, in the person's or entity's work place is prohibited specifying the actions that will be taken against employees for violation of such prohibition. Such written statement shall inform employees about:
 - I. The dangers of drug abuse in the work place;
 - II. the person's or entity's policy of maintaining a drug free environment at all its work places, including, but not limited to, all locations where employees perform any task relating to any portion of such contract, business transaction or grant;
 - III. any available drug counseling, rehabilitation, and employee assistance programs; and
 - IV. the penalties that may be imposed upon employees for drug abuse violations.
2. Requiring the employee to sign a copy of such written statement to acknowledge his or her receipt of same and advise as to the specifics of such policy. Such person or entity shall retain the statements signed by its employees. Such person or entity shall also post, in a prominent place at all of its work places, a written statement of its policy containing the foregoing elements I through IV.
3. Notifying the employee in the statement required by subsection 1 that this is a condition of employment the employee will:
 - I. Abide by the terms of the statement; and

II. Notify the employer of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such a conviction.

- 4. Notifying the CRA within ten (10) days after receiving notice under subsection 3 from an employee or otherwise receiving actual notice of such conviction.
- 5. Imposing appropriate personnel action against such employee up to and including termination; or requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- 6. Making a good faith effort to continue to maintain a drug free work place through implementation of sections 1 through 5 stated above.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PALMETTO COMMUNITY REDEVELOPMENT AGENCY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PRVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OF THE PALMETTO CITY CLERK DETERMINES THAT:

- 1. Such person or entity has made false certification;
- 2. such person or entity violates such certification by failing to carry out the requirements of sections 1, 2, 3, 4, 5 or 6 or Ordinance No. 505, amending Chapter 2, Section 2-57, Palmetto Code of Ordinances, or
- 3. such a number of employees of such person or entity have been convicted of violations occurring in the work place as to indicate that such person or entity has failed to make a good faith effort to provide a drug free work place as required by Ordinance No. 505.

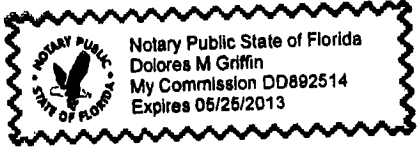
Mark A. [Signature]
 (Signature)
[Signature]

STATE OF Florida
 COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 15th day of October, 2009, by Mark Alkin + Mark Baines, as representatives of Vintage Palmetto 924, on behalf of corporation.
 who is personally known to me, or who produced _____ as identification, who did take an oath, and who acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

(Notary Seal)

Dolores M. Griffin
 Signature
Dolores M. Griffin
 Print Name
 NOTARY PUBLIC-STATE OF FLORIDA
 My Commission Expires: _____
 Commission No. _____



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MANATEE COUNTY PROPERTY APPRAISER

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Main Property Search

Owner Address Parcel ID Advanced Search Map

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- Residential
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- Out Buildings
- Permits
- Land
- Agriculture
- Sketch
- Exemptions
- Full Legal
- Map

PARID: 2746700000
CITY OF PALMETTO COMMUNITY

924 5TH ST W

CURRENT RECORD

1 of 1

Return to Search Results

ID Block

Account# 2746700000
 T/R/S 34S / 17E / 14
 Primary Address Location 924 W 5TH ST PALMETTO 34221 PL
 2002 Census Tract 001300
 FEMA Zone Caveat NOT A FEMA DETERMINATION
 FEMA Flood Zone X/0/N/0189 B/100
 Hurricane Evacuation Zone D
 Fire District FD07-NORTH RIVER FD
 Exemption Status Governmental
 Zoning C1
 Future Land Use COMC
 DOR Use Code 8900
 DOR Description MUNICIPAL
 Neighborhood Name CITY OF PALMETTO
 Neighborhood Number 7180
 CRA District P-PALMETTO CRA
 CDD District
 Neighborhood Group 7001
 Market Cluster 71
 Market Area 71
 Zone/Field Reference 1
 Route Number 047
 Map ID 4B14.7
 Acres (If Available) .9183
 Total Under Roof 12546
 Size Disclaimer Sq foot estimates derived from rounded exterior wall measurements
 Number of Units 1
 Living/Business area 12312
 Unit Desc
 Short Legal Desc

REPORTS
CSV Report
Parcel Information Report

Printable Summary

Printable Version

Unit #

ID Subblock

Account# 2746700000
 Lot ID 8
 Block ID E
 Subdivision Number 2744500
 Subdivision Name LAMBS PLAT OF PALMETTO PB1/65
 City/County Tax District 0019
 Route Number/Suffix 047

Owners

Name CITY OF PALMETTO COMMUNITY
 Address PO BOX 1209

City PALMETTO
 State FL
 Zip Code 34221
 International Postal Code
 Country



World

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**MANATEE COUNTY
PROPERTY APPRAISER**

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Main Property Search
Owner Address Parcel ID Advanced Search Map

- Profile
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- Permits
- Land
- Agriculture
- Sketch
- Exemptions
- Full Legal
- Map

PARID: 2746700000
CITY OF PALMETTO COMMUNITY

924 9TH ST W

CURRENT RECORD

1 of 1

[Return to Search Results](#)

REPORTS

CSV Report
Parcel Information Report



Printable Summary

Printable Version

Total Value

Tax Year	Year2009
Values/Taxes Before Amend 1	
Just Land Value	\$81,918
Just Improvement Value	\$209,650
Total Just Value	\$291,568
New Construction	\$0
Addition Value	\$0
Demolition Value	\$0
Previous Year Cap Value	\$0
Adjusted Cap Value	\$0
Homestead Market Value	\$0
Homestead Assessed Value	\$0
Amendment 10 Savings	\$0
Market Value of Classified Use Land	\$0
Classified Use Value	\$0
Total Assessed Value	\$291,568
Parcel Exemptions Value	\$291,568
Total Taxable Value	\$0

Amend 1 Values and Tax Estimates

Tax Estimates Based on 2009 Proposed Millages

Base Assessed Value	\$291,568
First Homestead	
Other Parcel Exemptions	\$291,568

Amendment 1 Impacts

Second Homestead Exemption	\$0
Portability Savings	\$0
Tangible Exemption	
Senior Exemption Value	\$0

School Taxable Value	\$0
School Millage	\$7.5410
School Tax Estimate	\$0.00

County/City Taxable Value	\$0
County/City Millage	\$12.0123
County/City Tax Estimate	\$0.00

Ad Valorem Tax Estimate	\$0.00
Current Year Fire	\$0.00
Current Year Special Asmt	\$0.00
Current Year Total Tax Est	\$0.00

Estimates if No Amendment 1

Taxable Value W/O Amendment 1	\$0
Ad Valorem Tax W/O Amendment 1	\$0.00

Previous Year's Value	
Previous Year Just Value	\$284,005
Previous Year Assessed Value	\$284,005
Previous Taxable Value	\$0

Value if Amd 10 Cap Removed	\$291,568
Ad Valorem Taxes if Cap Removed	\$5,701.12
Total Taxes If Cap Removed	\$5,701.12

Other Values

Account#	2746700000
Valuation Method Used	FS 193.011 C
Appraised Dwellings Value	
Appraised Land Value	
Total Appraised Value	
Misc/OBY Value	
Total Cost Value	
Market Approach Value	
Income Value	

Income Method	DIRECT CAPITALIZATION FROM INCOME MODEL
Personal Property Value	
Living Area	12312
Total Under Roof	12546
Amendment 10 Land Value	
Amendment 10 Building Value	
Amendment 10 %/Parcel Level	
Amendment 10 Just Value	\$291,568

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Select Year: 2009 Go

The 2009 Florida Statutes

Title XI
 COUNTY ORGANIZATION AND
 INTERGOVERNMENTAL RELATIONS

Chapter 163
 INTERGOVERNMENTAL
 PROGRAMS

View Entire
 Chapter

163.380 Disposal of property in community redevelopment area.--The disposal of property in a community redevelopment area which is acquired by eminent domain is subject to the limitations set forth in s. [73.013](#).

(1) Any county, municipality, or community redevelopment agency may sell, lease, dispose of, or otherwise transfer real property or any interest therein acquired by it for community redevelopment in a community redevelopment area to any private person, or may retain such property for public use, and may enter into contracts with respect thereto for residential, recreational, commercial, industrial, educational, or other uses, in accordance with the community redevelopment plan, subject to such covenants, conditions, and restrictions, including covenants running with the land, as it deems necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to otherwise carry out the purposes of this part. However, such sale, lease, other transfer, or retention, and any agreement relating thereto, may be made only after the approval of the community redevelopment plan by the governing body. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the community redevelopment plan and may be obligated to comply with such other requirements as the county, municipality, or community redevelopment agency may determine to be in the public interest, including the obligation to begin any improvements on such real property required by the community redevelopment plan within a reasonable time.

(2) Such real property or interest shall be sold, leased, otherwise transferred, or retained at a value determined to be in the public interest for uses in accordance with the community redevelopment plan and in accordance with such reasonable disposal procedures as any county, municipality, or community redevelopment agency may prescribe. In determining the value of real property as being in the public interest for uses in accordance with the community redevelopment plan, the county, municipality, or community redevelopment agency shall take into account and give consideration to the long-term benefits to be achieved by the county, municipality, or community redevelopment agency resulting from incurring short-term losses or costs in the disposal of such real property; the uses provided in such plan; the restrictions upon, and the covenants, conditions, and obligations assumed by, the purchaser or lessee or by the county, municipality, or community redevelopment agency retaining the property; and the objectives of such plan for the prevention of the recurrence of slum or blighted areas. In the event the value of such real property being disposed of is for less than the fair value, such disposition shall require the approval of the governing body, which approval may only be given following a duly noticed public hearing. The county, municipality, or community redevelopment agency may provide in any

instrument of conveyance to a private purchaser or lessee that such purchaser or lessee is without power to sell, lease, or otherwise transfer the real property without the prior written consent of the county, municipality, or community redevelopment agency until the purchaser or lessee has completed the construction of any or all improvements which he or she has obligated himself or herself to construct thereon. Real property acquired by the county, municipality, or community redevelopment agency which, in accordance with the provisions of the community redevelopment plan, is to be transferred shall be transferred as rapidly as feasible in the public interest, consistent with the carrying out of the provisions of the community redevelopment plan. Any contract for such transfer and the community redevelopment plan, or such part or parts of such contract or plan as the county, municipality, or community redevelopment agency may determine, may be recorded in the land records of the clerk of the circuit court in such manner as to afford actual or constructive notice thereof.

(3)(a) Prior to disposition of any real property or interest therein in a community redevelopment area, any county, municipality, or community redevelopment agency shall give public notice of such disposition by publication in a newspaper having a general circulation in the community, at least 30 days prior to the execution of any contract to sell, lease, or otherwise transfer real property and, prior to the delivery of any instrument of conveyance with respect thereto under the provisions of this section, invite proposals from, and make all pertinent information available to, private redevelopers or any persons interested in undertaking to redevelop or rehabilitate a community redevelopment area or any part thereof. Such notice shall identify the area or portion thereof and shall state that proposals must be made by those interested within 30 days after the date of publication of the notice and that such further information as is available may be obtained at such office as is designated in the notice. The county, municipality, or community redevelopment agency shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out; and the county, municipality, or community redevelopment agency may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by it in the community redevelopment area. The county, municipality, or community redevelopment agency may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this part. Except in the case of a governing body acting as the agency, as provided in s. 163.357, a notification of intention to accept such proposal must be filed with the governing body not less than 30 days prior to any such acceptance. Thereafter, the county, municipality, or community redevelopment agency may execute such contract in accordance with the provisions of subsection (1) and deliver deeds, leases, and other instruments and take all steps necessary to effectuate such contract.

(b) Any county, municipality, or community redevelopment agency that, pursuant to the provisions of this section, has disposed of a real property project with a land area in excess of 20 acres may acquire an expanded area that is immediately adjacent to the original project and less than 35 percent of the land area of the original project, by purchase as provided in this chapter, and negotiate a disposition of such expanded area directly with the person who acquired the original project without complying with the disposition procedures established in paragraph (a), provided the county, municipality, or community redevelopment agency adopts a resolution making the following findings:

1. It is in the public interest to expand such real property project to an immediately adjacent area.

2. The expanded area is less than 35 percent of the land area of the original project.
3. The expanded area is entirely within the boundary of the community redevelopment area.
- (4) Any county, municipality, or community redevelopment agency may temporarily operate and maintain real property acquired by it in a community redevelopment area for or in connection with a community redevelopment plan pending the disposition of the property as authorized in this part, without regard to the provisions of subsection (1), for such uses and purposes as may be deemed desirable, even though not in conformity with the community redevelopment plan.
- (5) If any conflict exists between the provisions of this section and s. 159.61, the provisions of this section govern and supersede those of s. 159.61.
- (6) Notwithstanding any provision of this section, if a community redevelopment area is established by the governing body for the redevelopment of property located on a closed military base within the governing body's boundaries, the procedures for disposition of real property within that community redevelopment area shall be prescribed by the governing body, and compliance with the other provisions of this section shall not be required prior to the disposal of real property.

History.--s. 11, ch. 69-305; s. 9, ch. 77-391; s. 13, ch. 84-356; s. 1, ch. 92-162; s. 906, ch. 95-147; s. 1, ch. 96-254; s. 9, ch. 98-314; s. 12, ch. 2006-11.