

## **RESOLUTION 18-133**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AMOUNTS TO BE OFFERED TO CERTAIN PROPERTY OWNERS ALONG FRONT BEACH ROAD FOR THE PURCHASE OF LAND NEEDED FOR THE FRONT BEACH ROAD SEGMENT 3 RIGHT-OF-WAY PROJECT.**

WHEREAS, the City has undertaken efforts to enhance the Front Beach Road Segment 3 corridor in furtherance of the Front Beach Road Community Redevelopment Project (the "Project") and has authorized the acquisition of land to support improvements to that corridor, and has accordingly encumbered funds necessary to undertake such acquisition, as part of the City's Near Term Work Plan adopted in Resolution 18-128; and

WHEREAS, the City identified 2 tracts of land, located at 16726 and 17140 Front Beach Road, comprised of Parcels 33321-000-000 and 32779-000-000, respectively, as necessary and appropriate for the redesign of the road and placement of drainage facilities required to support the proposed enhancement of that Front Beach Road corridor and its intersection with Highway 79; and

WHEREAS, City desires to engage the property owners to willingly sell its land to the City for these drainage and right-of-way purposes, to avoid if possible the necessity of exercising the City's eminent domain authority to accomplish the contemplated land acquisition; and

WHEREAS, the City has obtained an appraisal for the property; and

WHEREAS, the City has approved a standard incentive schedule for calculating appropriate offers to landowners whose land the City seeks to acquire for right-of-way purposes in Resolution 06-02.

**NOW THEREFORE BE IT RESOLVED** by the City Council that:

1. For the purposes aforesaid, it is necessary, practical, and in the best interest of the public and the CITY that the property required for the enhancement of Front Beach Road that Parcels 33321-000-000

and 32779-000-000, be acquired in fee simple in the name of the CITY.

2. The appropriate officers of the City are hereby authorized and directed to deliver an offer to purchase Parcel 33321-000-000, for Six Hundred Nine Thousand Five Hundred Dollars (\$609,500) pursuant to the City's approved incentive schedule, to Sherry Shockley as apparent owner of record of that property.
3. The appropriate officers of the City are hereby authorized and directed to deliver an offer to purchase the remaining leasehold interest held by Pizza Hut Store #2050 on Parcel 33321-000-000, for One Hundred Six Thousand Nine Hundred Fifty Eight Dollars and Twenty-Five Cents (\$106,958.25) pursuant to the City's approved incentive schedule, to Pizza Hut Store #2050, as apparent holder of that leasehold interest.
4. The appropriate officers of the City are hereby authorized and directed to deliver an offer to purchase Parcel 32779-000-000, for Four Hundred Forty Thousand Dollars (\$440,000) pursuant to the City's approved incentive schedule, to TOTE Holdings, LLC, as apparent owner of record of that property.
5. The appropriate officers of the City are hereby authorized to take such actions as are necessary to effect the conveyance and execution of these offers.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON PASSAGE.

PASSED THIS 23<sup>rd</sup> DAY OF August, 2018.

CITY OF PANAMA CITY BEACH

By   
MIKE THOMAS, MAYOR

ATTEST:

  
\_\_\_\_\_  
JO SMITH, CITY CLERK

**RESOLUTION 06-02**

A RESOLUTION OF THE CITY COUNCIL FOR PANAMA CITY BEACH, FLORIDA, ADOPTING AN INCENTIVE SCHEDULE FOR LAND ACQUISITIONS SOUGHT IN ASSOCIATION WITH EXPANSION AND ENHANCEMENT OF RIGHT-OF-WAYS IN FURTHERANCE OF THE FRONT BEACH ROAD COMMUNITY REDEVELOPMENT PROJECT.

WHEREAS, the City has undertaken the acquisition of land to effect improvements which will support and enhance various transportation corridors within the City in furtherance of the Front Beach Road Community Redevelopment Project (the "Project"); and

WHEREAS, the City would like to engage property owners to willingly sell their land to the City for these purposes, and avoid the necessity of exercising the City's eminent domain authority to accomplish the contemplated land acquisition; and

WHEREAS, the City finds and determines that to achieve this goal it is appropriate to create an incentive for property owners to sell their property to the City, by adding a monetary incentive to the fair market value of land it seeks to acquire; and

WHEREAS, the City anticipates that such incentive will ultimately result in time and costs savings for the City in each instance especially when the incentivized offer is accepted by the property owner; and

WHEREAS, the City desires to standardize its incentive program to be applied to acquisition of those lands that may be identified as necessary to support the right of way enhancement goals of the Project.

NOW THEREFORE BE IT RESOLVED by the City Council of Panama City Beach, Florida, that:

The City may offer monetary incentives to encourage property owners to sell desired land to the City, pursuant to the following guidelines:

Appraisal is		Incentive	Of Amount Over
Over	But Not Over		
\$0	\$1,000	\$1,000	
\$1,000	\$2,500	\$1,000 + 83.3%	\$1,000
\$2,500	\$5,000	\$2,250 + 70%	\$2,500
\$5,000	\$7,500	\$4,000 + 50%	\$5,000
\$7,500	\$10,000	\$5,250 + 45%	\$7,500
\$10,000	\$20,000	\$6,375 + 40%	\$10,000
\$20,000	\$30,000	\$10,375 + 35%	\$20,000
\$30,000	\$100,000	\$13,875 + 32.5%	\$30,000
\$100,000	\$311,250	\$36,625 + 30%	\$100,000
\$311,250		\$100,000	

PROVIDED, however, that the City Manager shall be authorized to modify or withhold the application of this incentive where necessary to preserve and protect the best interests of the City.

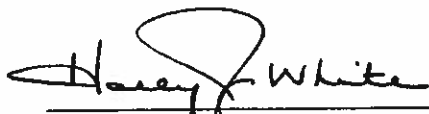
THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON PASSAGE.

PASSED IN REGULAR SESSION THIS 9TH DAY OF FEBRUARY, 2006.

CITY OF PANAMA CITY BEACH

By   
LEE SULLIVAN, MAYOR

ATTEST:

  
HOLLY J WHITE, CITY CLERK



# CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

CRA/LEGAL

2. MEETING DATE:

AUGUST 23, 2018

3. REQUESTED MOTION/ACTION:

APPROVE OFFER AMOUNTS OF TWO PROPERTIES TO BE ACQUIRED FOR RIGHT OF WAYS FOR FRONT BEACH ROAD SEGMENT 3/HWY 79 PROJECT.

4. AGENDA

PRESENTATION   
PUBLIC HEARING   
CONSENT   
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES  NO  N/A   
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED YES  NO  N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

Staff has identified two properties that the City will need to acquire to implement the design and construction of Front Beach Segment 3. Staff has acquired appraisals of the property, and would like to make offers to the property owners to acquire the land.

Staff recommends approval of the following offers, which are based on an appraisal performed for the City by Chandler & Associates, which appraisal has been reviewed and confirmed by a second appraiser, Mike Rogers. The offer has been calculated pursuant to the City approved incentive schedule based on the appraised value, except as otherwise noted.

Parcel 33321-000-000, located at 16726 Front Beach Road:

Sherry Shockley, fee owner: \$609,500. This offer includes an additional \$4,000 to reimburse the owner for an appraisal he obtained.

Pizza Hut Store #2050, tenant: \$106,958.25.

Lamar Advertising Signs owns a billboard on this parcel, for which an offer will be brought back to you at a later time for approval.

Parcel 32779-000-000, located at 17140 Front Beach Road (formerly the site of Panama Pizzeria):

Tote Holdings, LLC, fee owner: \$440,000.