

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20040473

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt Resolution for the Purchase of Real Estate by the Director of County Lands or Designee Through a Distress Sale Process of parcels within CIP Projects, with a purchase price not to exceed \$250,000.

WHY ACTION IS NECESSARY: Statutory provisions require Board resolve in order for staff to carry out Board's direction.

WHAT ACTION ACCOMPLISHES: Provides the County with opportunity to acquire parcels at a price that is advantageous for the County, when properties are offered by distressed sale process.

2. DEPARTMENTAL CATEGORY: 06 COMMISSION DISTRICT # 1-5 ALA		3. MEETING DATE: 05-04-2004
4. AGENDA: <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input type="checkbox"/> PUBLIC <input type="checkbox"/> WALK ON TIME REQUIRED:	5. REQUIREMENT/PURPOSE: (Specify)	
	<input checked="" type="checkbox"/> STATUTE	125
	<input type="checkbox"/> ORDINANCE	
	<input type="checkbox"/> ADMIN. CODE	
	<input type="checkbox"/> OTHER	
		6. REQUESTOR OF INFORMATION:
		A. COMMISSIONER
		B. DEPARTMENT Independent
		C. DIVISION County Lands <i>PC 4-14-04</i>
		BY: <i>Kew</i> Karen L.W. Forsyth, Director

7. BACKGROUND: Occasionally, parcels within a CIP project are forced into a distress sale during the time frame of the project. Due to court processes and statutory time periods, the window of opportunity to participate in the distress sale is shorter than staff's ability to present this type of purchase to the Board. Examples of a distress sale, include, but are not limited to, foreclosure actions and tax deed sales of tax sale certificates held by private individuals or entities.

Approval of this resolution would allow the Director of County Lands or designee to participate in and acquire parcels for the County, in a distress sale, without first addressing the Board. However, this process is limited to parcels within a CIP project and a purchase price not to exceed \$250,000.

Funding will come from the CIP project applicable to the parcels purchased.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	
<i>K. Forsyth</i>			<i>John</i>	<i>John</i>	<i>4/20/04</i>	<i>4/23/04</i>	<i>4/20/04</i>	<i>4/20/04</i>	<i>HS 4.21.04</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
 Date: *4/15/04*
 Time: *4:30*
 Forwarded To:
Co. Adm.
4/19/04 1:30pm

RECEIVED BY
 COUNTY ADMIN: *DM*
6/19/04
1:25 pm 5/7
 COUNTY ADMIN
 FORWARDED TO:
4/23/04
4/30

HS

RESOLUTION FOR THE PURCHASE OF REAL ESTATE BY THE DIRECTOR OF COUNTY LANDS OR DESIGNEE THROUGH A DISTRESS SALE PROCESS

WHEREAS, the Board of County Commissioners of Lee County, Florida, must approve and accept the purchase of all real estate conveyances; and

WHEREAS, the Board of County Commissioners of Lee County, Florida, recognizes the opportunity presented by a distress sale and the short time frame allowed for bid participation, and

WHEREAS, the Board of County Commissioners of Lee County, Florida, wishes to acquire properties within CIP projects, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA, that the Board authorizes the Director of County Lands or designee, to purchase real estate through a distressed sale process, including but not limited to tax deed sales and foreclosure action, of parcels located within an approved CIP project, for real estate purchase prices not to exceed \$250,000.00.

THE FOREGOING RESOLUTION was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote was as follows:

- Bob Janes _____
- Douglas St. Cerny _____
- Ray Judah _____
- Andrew Coy _____
- John Albion _____

DULY PASSED AND ADOPTED this _____ day of _____, 2004.

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

Chairman

APPROVED AS TO FORM:

Office of County Attorney