



Legislation Details (With Text)

File #: 20-1029 **Version:** 1 **Name:**
Type: Public Hearing - 11:30 AM **Status:** Agenda Ready
File created: 11/5/2020 **In control:** Board of County Commissioners
On agenda: 12/8/2020 **Final action:**
Title: Resolution 20-XX - Accepting the Donation of Real Property from Pierre R. Warny, Jr. and Nancy H. Warny, Husband and Wife.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Watermelon Pond - Warny Evaluation.pdf, 2. Exhibit 2 - Resolution 20-XX Warny Donation.pdf, 3. Exhibit 4 - Warny Maps.pdf, 4. Exhibit 5 - Warny Title Commitment.pdf, 5. Exhibit 6 - Warny Acquisition & Management Costs.pdf, 6. Exhibit 7 - Warny Donation PPT.pdf, 7. Exhibit 9- Budget Amendment

Date	Ver.	Action By	Action	Result
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Agenda Item Name:

Resolution 20-XX - Accepting the Donation of Real Property from Pierre R. Warny, Jr. and Nancy H. Warny, Husband and Wife.

Presenter:

Charlie Houder / (352) 264-6804

Description:

Staff request the adoption of the Resolution accepting the donation of 80 acres of real property from the Pierre and Nancy Warny for addition to the Watermelon Pond Preserve under the Alachua County Forever program.

Recommended Action:

Adopt the attached Resolution 20-XX:

1. Accepting the donation of real property from the Warny Family for use as an Alachua County Forever (ACF) Preserve in memory of Peter H. Warny, subject to the completion of due diligence with the review and approval by the County Manager;
2. Approve the attached budget amendment authorizing the expenditure of funds for due diligence and associated closing costs; and
3. Authorizing the Chair to execute any documents, approved by the County Attorney, needed to complete this conveyance.

Prior Board Motions:

On June 11, 2002, the Alachua County Commission placed the Warny property on the Active

Acquisition List as a bargain share, conservation easement project.

Fiscal Consideration:

The Property Appraiser's Just Value for the 80-acre property is \$300,000.

Estimated annual operating cost: \$2,500

- Estimated Attorney's Fees & Closing: \$5,000
- Title Commitment: \$1,000
- Boundary Survey: \$0.00 (Public Works)
- Survey Signs & Posts: \$300
- Phase I Environmental Assessment: \$4,000

TOTAL EXPENDITURE AUTHORITY REQUESTED: **\$10,300**

WSPP - Land Acquisition:

021.41.4160.537.61.00 - 6194101 Watermelon Pond - Warny

Land Management Expenses: \$662.50

021.41.4160.537.46.00

Land Management - Watermelon Pond

The annual tax revenue of the two parcels: \$6,528.90 (2019)

Background:

Mr. and Mrs. Warny originally nominated their property for the acquisition of a conservation easement on April 26, 2001. The Land Conservation Board placed the property in the Priority Pool and the Board of County Commissioners placed it on the Active Acquisition List on June 11, 2002. On August 20, 2020, Mr. Warny contacted staff and offered to donate the property to the County. This donation from Mr. and Mrs. Warny is in memory of their late son, Peter Henry Warny (1989 - 2013).

The 80-acre property is in the southwest corner of the county, approximately 1.5 miles east of Watermelon Pond. The County owns 40 acres to the south of the Warny property and holds a conservation easement over the 90-acre Ashton Biological Preserve to the west.

The property supports sandhill, hammock and wet prairie communities typical of the Watermelon Pond area. The Ashton Biological Preserve managed the property for a number of years so the ecological condition of these natural communities is good. The addition of the Warny property will result in 244 acres of contiguous protected area. It will bring the area of County fee-owned land in the Watermelon Pond Preserve to 1,240 acres. The preserve provides key habitat for Gopher Tortoise, Burrowing Owls, and Sandhill Cranes, among the many terrestrial and wetland species.

Access to the property is via easement over private roads from U.S. Highway 27/41. Other County properties in the same section rely on the same access. The County already maintains membership in an association that provides an insured crossing of the CSX railroad that is on the access route. The access is fully functional for land management activities. Public access, as may be appropriate can be provided by way of staff-guided tours.

Closing transactions would occur once there has been a determination by the County Manager that

there are no title, survey or environmental defects. Schedule B-I, section 4.B. of the attached Title Commitment requires that the County obtain a "Quit Claim Deed from Mike Benton, Paul Benton, Donna Mercurio and Waverly Munn, joined by spouses, if married (Beneficiaries of the Estate of Charles Keith Benton) to Pierre Raymond Warny, Jr. and Nancy H. Warny, husband and wife as to Parcel 2. (This requirement is made for the purpose of clearing title under that certain conveyance recorded in O.R. Book 1720, Page 1400, Public Records of Alachua County, Florida.)" to get insurable title. The requirement in the Commitment for a Quit Claim arises from the fact that the property was conveyed by Carl C. Hall to William Joseph Walsh on 7/10/1987, and then as part of a larger parcel from Wayne C. Hall, PR for the estate of Carl C. Hall to Thomas Damm, PR for the estate of Charles Keith Benton on 9/30/1988. The County's closing attorney will attempt to obtain the required Quit Claim and the County will not close if he is unable to do so.

The County will procure title insurance to cover the Property Appraiser's Just Value of \$300,000. Note: The cost of title insurance is included in the "Estimated Attorney's Fees & Closing" category, above, in the fiscal section.