

# **Board of County Commissioners**

## **Agenda Request**

Date of Meeting: April 5, 2010

Date Submitted: March 19, 2010

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator  
Doug Jones, Director, Public Services

Subject: Request Board Approval to Obtain an Independent Property Appraisal on Four (4) Lots Comprising the South End of Hudson Park and Currently Under Lease with The Crawfordville Woman's Club

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### **Statement of Issue:**

This agenda item requests Board approval to obtain an independent property appraisal on four (4) lots comprising the south end of Hudson Park and currently under lease to the County by the Crawfordville Woman's Club.

### **Background:**

On December 14, 2009, a letter (Attachment #1) was received from the Crawfordville Woman's Club, Inc., notifying the County of their intent to terminate the lease agreement between the County and the Woman's Club. On January 11, 2010, Assistant County Administrator Tim Barden met with Kathy Hallowell, President of the Crawfordville Woman's Club, to discuss the lease agreement and their request to terminate such. It was agreed to bring this issue forward to the Board for consideration.

In order to establish Hudson Park as a County Park with the boundaries that exist today, the County entered into a lease agreement with the Crawfordville Woman's Club, Inc. on February 9, 1987 and leased the four (4) lots owned by the Woman's Club at the south end of the park (Attachment #2). Last year, it was discovered that the lease agreement signed in 1987 included not only the land on the south end of the park but also the land on which the Club Building is located. This was caused by an error in the legal description in the original lease and this error was corrected by an addendum to the lease approved by the Board on September 22, 2009.

This agreement leases the south end of Hudson Park to the County. In accordance with the provisions of the lease, this notification would terminate the lease in ten (10) years or any date sooner if mutually agreed upon. The Woman's Club is seeking to sell the land currently being leased so that it may raise funds to re-roof and make repairs to their Club Building. The Woman's Club is giving the County first right of refusal and asks that the County advise as soon as possible if there is an interest in purchasing this property.

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Hudson Park, a Wakulla County Park located in downtown Crawfordville, is comprised of land donated to the County by the late Jewell Hudson and land leased from the Crawfordville Woman's Club (Attachment #3). The park consists of a northern section, formerly known as Palm Park, and a southern section consisting of 4 lots (Lots 1, 2, 3, & 4 of Block A of Hudson Heights) owned by the Crawfordville Woman's Club.

Lots 1, 2, 3, 4, 5 & 6 of Block A of Hudson Heights were donated to the Woman's Club by Mr. Hudson in 1952. Lots 1, 2, 3 & 4 are the land currently under lease that comprises the south end of Hudson Park; Lots 5 & 6 is where the Club Building is located. The deed, as recorded in Deed Book 40 and corrected in Deed Book 48 describes certain conditions as to the use and transfer of Lots 1, 2, 3 & 4 (Attachment #4). Additionally, the deed states that these lots "...only be used as a park and/or a playground, and no building shall ever be constructed thereon. Title to said Lots 1, 2, 3 & 4 can only be transferred to a civic or public organization similar in nature to grantee herein."

The Lease Agreement has a provision that it may be terminated by either party, by notice in writing served on the other party which shall be effective ten (10) years from the date of the notice to terminate. Notice of intent to terminate shall be served on either party in writing at least thirty (30) days prior to the anniversary date of this lease. The Club's letter requests termination of the lease ten (10) years from January 9, 2010, termination effective upon the future anniversary of the lease, January 9, 2020, or any date sooner if mutually agreed upon.

The Woman's Club is seeking to sell the four (4) lots comprising the south end of the park as soon as possible in order to raise funds to make repairs and re-roof the Club Building.

**Analysis:**

Hudson Park is one of the most popular parks in the County park system. The park is used for events throughout the year by individuals, families, groups, and organizations; is the location of the Arbor Day, Valentine, Black History, St. Patrick's Day, Easter Egg Hunt, and Veteran's Day Celebrations; and is frequently used by individuals for garage/yard/flea market sales. The land leased from the Crawfordville Woman's Club comprises about 1/3 of the total land making up Hudson Park, the largely open area at the south end of the park. Additionally, this area is used by Life Flight Helicopter for emergency medical evacuations. Loss of this land would have a great impact on the use of this park for many of the events presently taking place there.

It appears from the deed's drawn up by Mr. Hudson when the property was donated to the Crawfordville Woman's Club that his intent was that this property was to remain as a park or playground in perpetuity, and if the Woman's Club sought to divest themselves of this property the title could only be transferred to a civic or public organization.

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The Crawfordville Women's Club is offering the Board the opportunity to purchase the land currently being leased to the County. If the Board directs staff to move forward with purchasing this land, the County would need to abide by Section 125.355, Florida Statutes, which requires the following:

- (1) If the price of the property is \$500,000 or less, the County must obtain at least one appraisal;
- (2) If the price of the property is more than \$500,000, the County must obtain at least two appraisals and if the purchase price exceeds the average of these appraisals, the purchase must be approved by extraordinary vote;
- (3) For purchases less than \$100,000, the Board can exempt the property from the requirement for appraisal;
- (4) Every appraisal, offer, or counteroffer must be in writing (these are exempt from disclosure until an option contract is executed or until 30 days before a contract is brought to the Board or 30 days after termination of negotiations).

Considering the limited uses of the land and the restricted market of buyers embodied in the deed, it is estimated that the cost of this land would be less than \$500,000 and therefore Options #1 and #3 above would apply to this possible purchase. It is estimated an appraisal would cost approximately \$350 to \$750 and will be funded from the Parks and Recreation Division budget. Pursuant to Sec. 5.17(4.) of the County purchasing policy, "The purchase, lease, or rental of real property" is exempt from competitive bidding. However, staff would seek to obtain at least three quotes from qualified local vendors who provide property appraisal services to ensure local participation in this process.

At this time, staff is only seeking approval from the Board to seek an independent appraisal to determine the value of Lots 1, 2, 3 & 4 of Block A of Hudson Heights. The Hudson Park property is a valuable site that represents the County during many events. Once the appraisals are received, they will be brought back to the Board at a future meeting date to determine if the Board wishes to pursue the purchase of the Hudson Park property. Staff would also like to note that \$197,000 is available in the Parks & Recreation Impact Fee Fund that could be used for this purchase if the Board decides to proceed with the purchase.

If the Board chooses not to move forward with evaluating the land for purchase, the Lease Agreement will terminate on January 9, 2020 or any date sooner if mutually agreed upon.

**Options:**

1. Approve staff to obtain an independent appraisal on Lots 1, 2, 3 & 4 of Block A, Hudson Heights and direct staff to bring a future agenda item back to the Board on this issue with further policy options.

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2. Do not approve staff to obtain an independent appraisal of this property and allow the lease to expire on January 9, 2020 or sooner if mutually agreed upon.
3. Board direction.

**Recommendation:**

Option #1

**Attachment(s):**

1. Letter of notification from Crawfordville Woman's Club to terminate lease.
2. Hudson Park Lease Agreement and Addendum.
3. Parcel Map of Hudson Park and Crawfordville Woman's Club property.
4. Deed and Corrected Deed to Crawfordville Woman's Club Property.