

Board of County Commissioners

Agenda Request

Date of Meeting: January 25, 2010

Date Submitted: January 8, 2010

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Cleve Fleming, Public Works Project Director

Subject: Request Board Approval of Resolutions Accepting Right of Way
Dedication Deeds for Gavin Road and Old Bethel Road

Statement of Issue:

This agenda item requests Board approval of Resolutions accepting Right of Way Deeds for Gavin Road and Old Bethel Road.

Background:

During the November 16, 2009 Board Meeting, the Board approved the FY 09/10 CIP update of road paving projects, which included Gavin Road and Old Bethel Road. In order for roads to be paved, the County must first obtain sufficient right of way for the entire length of the road. These right of ways allows for the construction of a road, which provides safe passage for citizens. Additionally, it provides room for stormwater treatment and utilities. Typically, a minimum of 60 foot of right of way is required by the Wakulla County Code before the County would pave a road. More recently, the Board has directed Public Works to minimize right of way requirements, and pave the roadway available. The minimal right of way that can be safely paved is 30 feet.

Unfortunately, most of the unpaved roads, with the exception of private and historical subdivisions, do not have any right of way dedicated to Wakulla County. The County typically only has a prescriptive easement for roads which do not have right of way. These prescriptive easements are generally 20 feet wide or less, which is not wide enough to safely pave and provide room for both stormwater and utilities.

Gavin Road and Old Bethel Road are two County maintained roads that do not currently have dedicated right of way. Over the past several years, the Public Works Department has worked to obtain signed deeds, conveying property to Wakulla County to be utilized as right of way.

Gavin road required a total of eleven (11) deeds to obtain all of the right of way from Spring Creek Highway to Old Bethel Road, ten (10) of these deeds have been acquired (Attachment #1). Staff is still trying to obtain signatures on the remaining deed, however at this time there is sufficient maintained right of way to start this project and prepare it for paving.

Agenda Request: Request Board Approval of Resolutions Accepting Right of Way Deeds for
Gavin Road and Old Bethel Road

January 25, 2010

Page 2

Old Bethel Road required the acquisition of nine (9) deeds to obtain the necessary right of way to pave from Wakulla Arran Road to Gavin Road, six (6) of the deeds have been acquired (Attachment #2). Additionally, two (2) of these deeds cannot be prepared due to the inability to obtain a clear title since the actual ownership is unknown, and the remaining deed should be obtained within the next couple of weeks.

Analysis:

Paving roads provides a benefit to the citizens of Wakulla County. In order to insure citizens safety and well being, sufficient right of way is required. By accepting these right of way deeds, the County is effectively working towards securing the necessary right of way to safely pave these roads. Staff is requesting approval of the Resolutions (Attachment #1) to accept right of way of deeds for Gavin and Old Bethel Roads. The County Attorney has reviewed the Resolutions for approval.

Options:

1. Approve the Resolutions accepting right of way deeds for Gavin Road and Old Bethel Road.
2. Do not approve the Resolutions accepting right of way deeds for Gavin Road and Old Bethel Road.
3. Board direction.

Recommendation:

Option #1

Attachments:

1. Gavin Road Resolution and Deeds
2. Old Bethel Road Resolution and Deeds