

# Board of County Commissioners

## Agenda Request

Date of Meeting: September 7, 2010

Date Submitted: August 20, 2010

To: Honorable Chairman and Members of the Board

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

Subject: Request Board Direction for the Requested Purchase of Land  
Owned by the Crawfordville Woman's Club Comprising the  
South End of Hudson Park

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### **Statement of Issue:**

This agenda item requests Board direction in order to respond to a request from the Crawfordville Woman's Club to purchase the 4 lots owned by them which comprise the south end of Hudson Park. Appraisals of the lots are attached for Board consideration and direction (Attachments #1 & #2).

### **Background:**

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. On December 14, 2009 the Crawfordville Woman's Club exercised a ten year notification option to terminate the lease and offered to sell the four (4) lots comprising the south end of the park to the County in order to raise funds to make repairs and reroof their Club Building. The lease will now terminate on January 20, 2020 or any sooner date if mutually agreed upon.

On April 5, 2010 the Board directed staff to obtain independent appraisals on Lots 1, 2, 3 & 4 of Block A, Hudson Heights and to bring a future agenda item back to the Board on this issue with further policy options.

Independent appraisals of the lots have been obtained from Wakulla Appraisal Services and Carroll Appraisal Company, Inc. One appraisal values the lots at \$10,000 while the other appraisal values the lots at \$169,000.

The widely varying estimates of appraised value are probably due to the deed restrictions pertaining to these lots (Attachment #3). The lots were donated to the Woman's Club by Mr. Jewel Hudson in 1952. The Deed, recorded in Deed Book 40 and corrected in Deed Book 48, describes certain conditions as to the use and transfer of the lots (Attachment #3). 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.”

Both appraisals recognize the restrictions placed on the sale or transfer of the lots. The lower of the two appraisals qualifies the appraisal with the following statement:

“The estimate of value is based upon the assumption that the deed restrictions are legally valid, could not be waived and would be upheld in a court of law. If it is found at a later date that the restrictions could be rescinded, or are not legally valid, the appraiser retains the right to reanalyze the property.”

**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, 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. This area is also 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 that if the Woman's Club sought to divest themselves of this property the title could only be transferred to a civic or public organization.

The Board is being offered the opportunity to purchase the land currently leased to it by the Crawfordville Woman's Club. Legal staff has reviewed the deed restrictions and believes that they are valid. Pursuant to the provisions of Section 125.355, Florida Statutes and due to the unknown nature of the value of the land, two property appraisals were obtained. In addition, the Wakulla County Purchasing Policy, Sec. 5.17(4.) states “The purchase, lease, or rental of real property is exempt from competitive bidding.”

Currently, staff has not identified viable funding for the purchase of these lots. At this time, staff seeks direction from the Board as to a response to the Crawfordville Woman's Club regarding their offer to sell the lots currently leased to the County. The Lease Agreement with the Crawfordville Woman's Club will terminate on January 9, 2020.

**Options:**

1. Direct staff to pursue funding options and bring back a proposal to the Board for consideration.
2. Do not direct staff to pursue funding options nor to bring back a proposal to the Board for consideration.

3. Board Direction.

**Recommendation:**

Option #3

**Attachment(s):**

1. Carroll Appraisal Company-Appraisal Report.
2. Wakulla Appraisal Services-Appraisal Report
3. Property Deed

BP/DJ/dj