

EXECUTIVE SUMMARY**Objective:**

To provide the Conservation Collier Land Acquisition Advisory Committee (CCLAAC) and property owner Joseph Hamilton with the process for re-consideration of the 194-acre Hamilton parcel, Folio #00776200008.

Considerations:

On January 23, 2007, the Board of County Commissioners (BCC) approved the 4th Active Acquisition List (AAL) for the Conservation Collier Program. On that list, as an A-Category property was the Hamilton Property, 194 acres located in Section 36, Township 51 Range 27, and with folio # 00776200008. Two appraisals were prepared under the Conservation Collier Purchase Policy (Resolution No. 2003-195) by appraisers on the County's approved vendor list and provided to the County on April 4, 2007. These appraisers and values are as follows:

1. Coastal Engineering - \$1,700,000
2. Callaway and Price - \$1,550,000

Pursuant to Resolution No. 2003-195, the average of the two appraisals, or \$1,625,000, was the offer amount made to the property owner.

On April 4, 2007, the owner's attorney and agent, Lori Hamilton, was apprised of the County's offer via e-mail. A formal offer letter was sent, dated April 9, 2007. On May 9, 2007, the County's offer was refused and offer for the sale of the Hamilton property was rescinded by Ms. Hamilton.

On October 5, 2007, the property owner, Joe Hamilton, sent a request via e-mail to the Conservation Collier Coordinator, Alex Sulecki, that the property be reconsidered for purchase. A copy of this request was provided to the CCLAAC members on October 8, 2007, under Agenda Item V.F., Coordinator Communications.

On October 23, 2007, Resolution No. 2003-195 was superseded by Resolution No. 2007-300. Resolution No. 2007-300 contains a provision for re-appraising properties where the County's offer had been refused and subsequently, the owner decided to re-offer it for sale. Under Resolution No. 2007-300, two new appraisals must be ordered if over 6 months have elapsed, and the property is still on the AAL. The previous appraisals were done in March 2007, approximately eight (8) months ago. Even though the offer for sale was rescinded by the owner, the Hamilton property will remain on the AAL until the BCC affirms a new AAL in January 2008. A new appraisal can be ordered with the owner providing payment for the appraisals in advance. Without such payment, new appraisals shall not be ordered.

Process Options: Upon receipt of payment for the appraisals, two new appraisals can be ordered and a new offer can be made to the owners. Upon acceptance of such offer, a contract can be prepared and presented to the CCLAAC for recommendation and then to the BCC for approval. This work should be done before the January approval of a new Active Acquisition List, or a recommendation made to keep the Hamilton property on the AAL. In the event these things are not done, the Hamilton property owner will need to re-apply to Conservation Collier for ranking in the 6th acquisition cycle, during calendar year 2008. Any future appraisals will be paid for by the owner.