



# Pinellas County

## Legislation Details (With Text)

**File #:** 21-2559A      **Version:** 1

**Type:** Contract/Agreement      **Status:** Passed

**File created:** 12/20/2021      **In control:** Public Works

**On agenda:** 3/8/2022      **Final action:** 3/8/2022

**Title:** Declare a portion of fee owned County property as surplus, grant the authorization to sell the property to Philip Belejchak and Nadine Belejchak, and execute the County Deed in accordance with Section 125.35(2), Florida Statutes.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. FE\_AATF - County Deed, 2. Recorded RES 22-23, 3. FE\_AATF - Contract, 4. Adopted RES 22-23, 5. PE\_AATF - Contract, 6. AATF - Contract, 7. Resolution, 8. Exhibit A, 9. County Deed, 10. Contract for Sale and Purchase, 11. Resolution, 12. Location Map, 13. County Deed

Date	Ver.	Action By	Action	Result
3/8/2022	1	Board of County Commissioners	approved	Pass

**Subject:**

Declare a portion of fee owned County property as surplus, grant the authorization to sell the property to Philip Belejchak and Nadine Belejchak, and execute the County Deed in accordance with Section 125.35(2), Florida Statutes.

**Recommended Action:**

Recommend the adoption of the attached resolution to declare a portion of fee owned County property as surplus, grant the authorization to sell the property to Philip Belejchak and Nadine Belejchak, and execute the County Deed.

- The County owns parcel # 02-28-15-00000-320-0100 in fee, lying adjacent to Philip and Nadine Belejchak’s property located at 998 Osprey Court, Palm Harbor.
- Philip and Nadine Belejchak desire to purchase a 6-foot-wide portion of parcel # 02-28-15-00000-320-0100 (.004 acres more or less) that is submerged land.
- The Property is not needed for any County purpose.
- The County recommends selling the Property in order to avoid revoking a previously issued permit for an observation pier and potential litigation.
- The sale and purchase of the Property is in accordance with Section 125.35(2), Florida Statutes.
- Market value of the Property by a fee appraiser is \$52.00.

Authorize the Chairman to sign and the Clerk of the Court to attest the County Deed and the Contract for Sale and Purchase. It is further recommended that the Chairman authorize the Clerk of the Circuit Court to record the resolution in the Public Records of Pinellas County.

**Strategic Plan:**

Deliver First Class Services to the Public and Our Customers

5.2 Be responsible stewards of the public's resources

5.3 Ensure effective and efficient delivery of county services and support

**Summary:**

Approval of this resolution will permit County staff to proceed with the sale of the Property and avoid revoking a previously issued permit and potential litigation.

**Background Information:**

On August 6, 2019, the County's Water and Navigation Section issued a permit for an approximate 420 square foot observation pier at 998 Osprey Court (Tax Parcel ID# 02-28-15-64855-000-0050), Palm Harbor.

It was later discovered that the permit was issued in error because the proposed observation pier will impact a portion of County-owned submerged land that is located between the Belejchak's property and sovereign submerged land. To resolve this issue and avoid revoking the permit, the Water and Navigation staff consulted with the County Attorney's Office, Survey Division, and Real Property Division to develop a fair and amicable resolution.

The proposed sale of the Property is in accordance with Section 125.35(2), Florida Statutes, which authorizes the sale of County-owned property "... when the Board of County Commissioners finds that the value of a parcel of real property is \$15,000 or less, as determined by a fee appraiser designated by the Board or as determined by the County Property Appraiser, and when, due to the size, shape, location, and value of the parcel, it is determined by the Board that the parcel is of use only to one or more adjacent property owners".

**Fiscal Impact:**

Projected Revenue - \$52.00 to be deposited into the General Fund.

**Staff Member Responsible:**

Kelli Hammer Levy, Director, Public Works

**Partners:**

N/A

**Attachments:**

Resolution

County Deed

Exhibit "A" - Approved Sketch and Legal

Contract for Sale and Purchase

Location Map