



## Legislation Details (With Text)

<b>File #:</b>	2024-5702	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Consent Item - Regular	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	1/23/2024	<b>In control:</b>		Board of County Commissioners	
<b>On agenda:</b>	2/27/2024	<b>Final action:</b>			
<b>Title:</b>	Resolution to Approve Two Settlement Agreements, Release Portions of Conservation Easements and Dispose of Lots in Harbour Heights				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Conservation Easements Agenda Briefing Note, 2. Briefing Note Aerial Packet (5 pages), 3. Resolution with Exhibits A-F (41 pages), 4. Exhibit A - Conservation Easement (5 pages), 5. Exhibit B - Conservation Easement (7 pages), 6. Exhibit C - Resolution 2005-105 (12 pages), 7. Exhibit D - Settlement Agreement - Keith (6 pages), 8. Exhibit E - Settlement Agreement - Vieira (6 pages), 9. Exhibit F				

Date	Ver.	Action By	Action	Result
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### DEPARTMENT MAKING REQUEST

Budget & Admin Services

#### Title

Resolution to Approve Two Settlement Agreements, Release Portions of Conservation Easements and Dispose of Lots in Harbour Heights

#### REQUESTED MOTION/ACTION

#### Recommended Action:

Approve Resolution approving Settlement Agreements and authorizing the Real Estate Services Manager to execute necessary documents releasing Conservation Easements and property transfer.

#### Budgeted Action:

No action needed.

#### BACKGROUND (Why is this Action Necessary, and What Action will be accomplished)

##### Background:

Between 2021-2023, three property owners received clearing and building permits on parcels encumbered by previously recorded easements that removed density units from one or more of the parcels. Prior owners agreed to the easements as part of development plans on other sites. However, the property owners failed to pay property taxes, which caused the lots to escheat to the County. The lots were then purchased from the County through the direct sale process. Pursuant to the County's Comprehensive Plan and Codes pertaining to where and when density can be relocated, Harbour Heights does not allow for density transfer into or within, only density transfer out. The settlements attempt to balance the property owner's interest with the County's interests to avoid potentially expensive litigation for all of the impacted parties.

Real Estate Services Division, in conjunction with Building and Construction Services and the County Attorney's Office is seeking approval of the Board of County Commissioners to execute the proposed settlement agreements and authorize execution of the documents pertinent to removal of the Conservation Easements on these parcels. Thus far, two of the three affected owners have executed the proposed settlement agreements. Those two are being presented to you at the Board of County Commissioners meeting on February 27, 2024. Should the third party execute the proposed settlement agreement, that item will be brought forward for Board presentation at a future meeting date.