CITY OF SANIBEL
LEGAL DEPARTMENT

MEMORANDUM

TO: **Members of City Council**

FROM: **Kenneth B. Cuyler** KBC
City Attorney

DATE: **March 28, 2012**

RE: **Offer to Sell Property Located Adjacent to and West of Tarpon Bay Road, South of Sanibel-Captiva Road and North of the Unoccupied Former Restaurant Property (Map Attached)**

Sanibel Gardens Unit 3, Block 22 is west of and adjacent to Tarpon Bay Road just north of the U.S. Post Office. Block 22 is composed of 20 lots which are owned as follows:

(a) Lots 1, 2, 3, 4, 5, 6, 17, 18, 19 and 20 – MCD 1201 Ltd (denoted in yellow on the attached map);
(b) Lots 7, 8 and 9 – City of Sanibel (denoted in green on the attached map);
(c) Lots 10, 11 and 12 – SCCF (denoted in orange on the attached map); and
(d) Lots 13, 14, 15 and 16 – P. Berger Holdings, LLC (denoted in pink on the attached map) (note: this is the unoccupied former restaurant property).

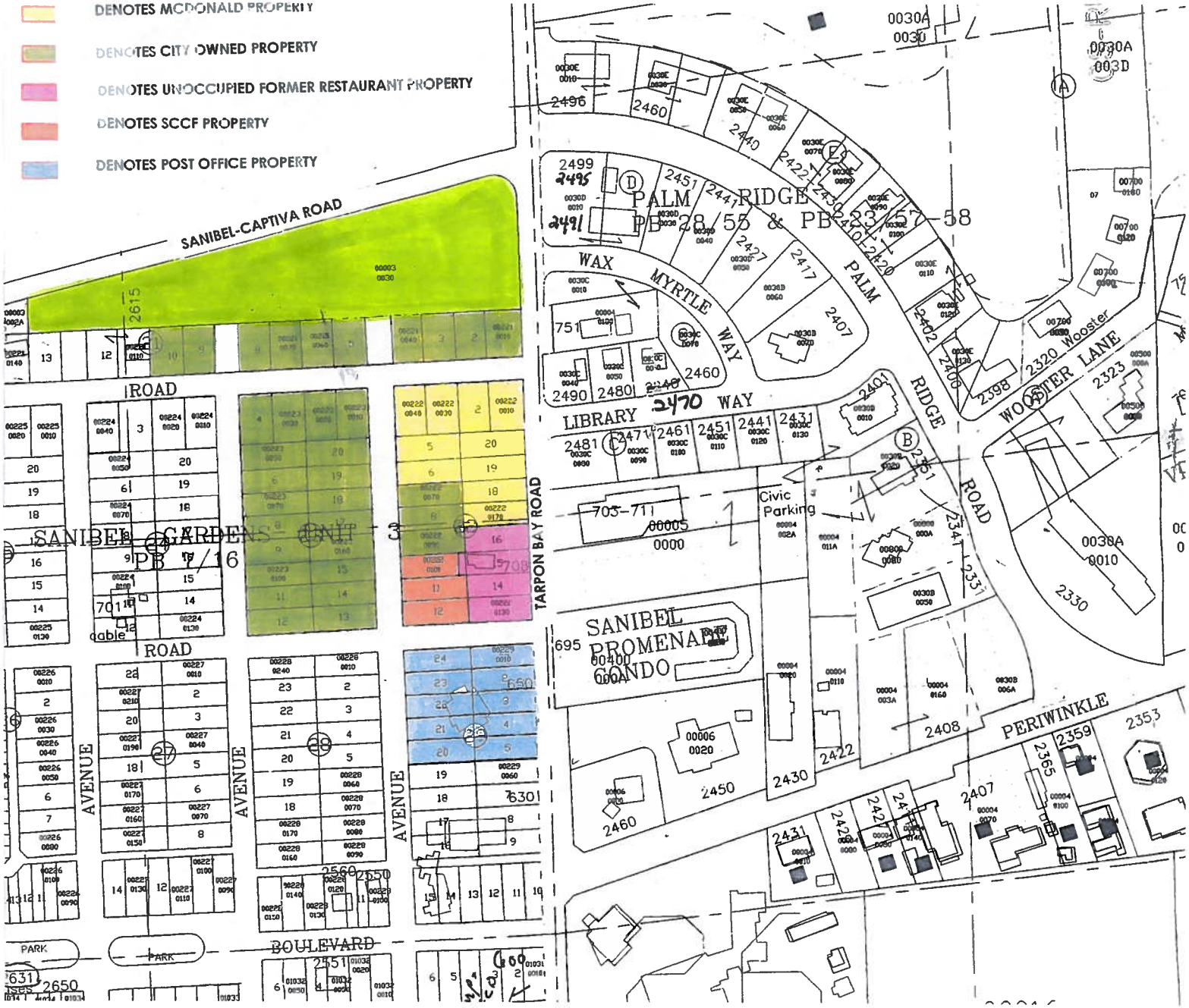
The map also denotes the U.S. Post Office property in blue and additional surrounding City of Sanibel owned property (conservation property) which is also denoted in green.

John W. McDonald recently contacted the City Attorney's office and met with me regarding property owned by MCD 1202 Ltd. Mr. McDonald has been advised by the City of Sanibel Planning Department that he is entitled to one dwelling unit on the property and Mr. McDonald has indicated that his plans would be to sell the property as a residential parcel or to construct a single-family dwelling on the property. However, prior to investing additional money in the parcel, he indicated that he would like to first offer the property for sale to the City of Sanibel and he indicated to me that his offering price would be $250,000, which would include his original purchase price and additional money that he has invested in the property (exotics removal, etc.). Mr. McDonald indicated to me that he was willing to attend the City Council meeting on April 3, 2012 and would be available to answer any questions asked of him regarding the property and the offer to sell.

This matter is being brought to the City Council for Council's review and consideration.

KBC/jg

cc: Judie A. Zimomra, City Manager
Rob Loflin, Natural Resources Director
James Jordan, Planning Director
Pamela Smith, City Clerk


DENOTES MCDONALD PROPERTY
DENOTES CITY OWNED PROPERTY
DENOTES UNOCCUPIED FORMER RESTAURANT PROPERTY
DENOTES SCCF PROPERTY
DENOTES POST OFFICE PROPERTY
SANIBEL-CAPTIVA ROAD
SANIBEL GARDENS UNIT 3
PB 7/16
PALM RIDGE
PB 28/55 & PB 23/57-58
WAX MYRTLE WAY
PALM RIDGE ROAD
LIBRARY WAY
WOOSTER LANE
TARPON BAY ROAD
SANIBEL PROMENADE CONDO
Civic Parking
PERIWINKLE
AVENUE
BOULEVARD
PARK