



# Baldwin County Commission

## Legislation Text

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**File #:** 21-0168, **Version:** 1

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 11/17/2020

**Item Status:** New

**From:** Joey Nunnally, P.E., County Engineer

**Submitted by:** Lisa Sangster, Administrative Support Specialist IV

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### **ITEM TITLE**

Execution of IRS Form 8283 for a Donated Permanent Drainage Easement and Right-of-Way on Project No. 0216717 - Fernwood Drive West Drainage Project (Tract 4)

### **STAFF RECOMMENDATION**

Take the following actions:

- 1) Accept 0.201 acres on Fernwood Drive West Drainage Project (Tract 4) as a permanent drainage easement and right-of-way donated to Baldwin County by MKC, LLC on March 18, 2020 (Instrument No. 1818923 of Baldwin County Judge of Probate); and
- 2) Related to the aforesaid, authorize the Chairman to execute IRS Form 8283 for the donated right-of-way.

### **BACKGROUND INFORMATION**

**Previous Commission action/date:** N/A

**Background:** On March 18, 2020, the Baldwin County Highway Department accepted a permanent drainage easement and right-of-way donation on Fernwood Drive West from MKC, LLC.

By the Chairman executing the IRS Form 8283, the County is not indicating that it agrees with the valuation of the property, but rather the County is acknowledging the fact that the county did receive the property.

The only part of the form that will be signed by the Chairman is Part IV, Donee Acknowledgement, in which:

- 1) The date of receipt of the donation is acknowledged; and
- 2) The County affirms that it will file an IRS information return should it dispose of the property within two (2) years after the date of receipt; and

3) The County states whether it intends to use the property for an unrelated use.

### **FINANCIAL IMPACT**

**Total cost of recommendation:** N/A

**Budget line item(s) to be used:** N/A

**If this is not a budgeted expenditure, does the recommendation create a need for funding?**  
N/A

### **LEGAL IMPACT**

**Is legal review necessary for this staff recommendation and related documents?**  
N/A

**Reviewed/approved by:** N/A

**Additional comments:** N/A

### **ADVERTISING REQUIREMENTS**

**Is advertising required for this recommendation?** N/A

**If the proof of publication affidavit is not attached, list the reason:** N/A

### **FOLLOW UP IMPLEMENTATION**

**For time-sensitive follow up, select deadline date for follow up:** N/A

**Individual(s) responsible for follow up:** Administration Staff

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**  
Administration Staff have Chairman sign IRS Form. Mail original to MKC, LLC and send copy to Debra Morris and Tate Chalfont.

Contact:  
MKC, LLC  
210 20<sup>th</sup> Avenue East  
Gulf Shores, Alabama 36542

**Additional instructions/notes:** N/A