



Baldwin County Commission

Legislation Text

File #: 21-0430, **Version:** 1

Meeting Type: BCC Regular Meeting

Meeting Date: 2/2/2021

Item Status: New

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

Submitted by: Lisa Sangster, Administrative Support Specialist IV

ITEM TITLE

Execution of IRS Form 8283 for a Donated Right-of-Way on Project No. 0212019 - Lipscomb Road (Tract 8)

STAFF RECOMMENDATION

Take the following actions:

- 1) Accept 0.036 acres on Lipscomb Road (Tract 8) as a right-of-way donated to Baldwin County by Gordon Edward Witherington and Anita Marie Witherington on August 11, 2020 (Instrument No. 1881457 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 August 11, 2020, the Baldwin County Highway Department accepted a right-of-way donation on Lipscomb Road from Gordon Edward Witherington and Anita Marie Witherington.

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 three (3) 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 Gordon and Anita Witherington and send copy to Debra Morris and Tate Chalfant.

Contact:
Gordon and Anita Witherington
P.O. Box 11
Magnolia Springs, Alabama 36555

Additional instructions/notes: N/A