

RESOLUTION NO. 2025-42

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA; AUTHORIZING THE CITY MANAGER TO ENTER INTO A PERMANENT EASEMENT AGREEMENT FOR A PORTION OF PROPERTY LOCATED AT 720 NORTH APACHE CIRCLE, DELTONA, FLORIDA; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

WHEREAS, City of Deltona (the "City") constructed a stormwater retention area to service the expansion of infrastructure on Normandy Boulevard; and

WHEREAS, a portion of the stormwater retention area is partially located on property located at 720 North Apache Circle, Deltona, Florida (the "Property"); and

WHEREAS, the City has negotiated the purchase of a permanent easement for the stormwater retention area on the Property pursuant to a Letter of Offer attached hereto as Exhibit "A" (the "Offer Letter"); and

WHEREAS, the City Commission has determined it is in the best interest of the health, safety, and welfare of the City's residents to provide appropriate stormwater retention areas for public rights of way; and

WHEREAS, the City Commission desires to authorize the City Manager or his designee to enter into a permanent easement agreement with the owner of the Property consistent with the terms of the Offer Letter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:

Section 1. Recitals Adopted. That each of the above recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Agreement Approved. That the City Manager is authorized to enter into a permanent easement agreement with the owner of the property located at 720 North Apache Circle, Deltona, Florida in a total amount not to exceed thirty nine thousand five hundred dollars (\$39,500.00) and otherwise consistent with the terms of the Letter of Offer attached hereto as Exhibit "A."

Section 3. Implementation. That the City Manager is hereby authorized to take any action which is necessary to implement this Resolution.

Section 4. Effective Date. That this Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA, THIS _____ DAY OF _____, 2025.**

BY: _____
Santiago Avila, Jr., MAYOR

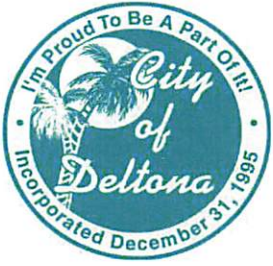
ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

TG Law, PLLC, CITY ATTORNEY

Name	Yes	No
Avila-Vazquez		
Colwell		
Heriot		
Howington		
Lulli		
Santiago		
Avila		



City of Deltona

February 10, 2025

Landmark Lodge No. 383
C/O Len Morreale
720 N. Apache Cir
Deltona, Florida 32725

Re: Letter of Offer-Easement for City Stormwater Retention Area

Dear Mr. Morreale,

The City of Deltona (the "City") is pleased to present this Letter of Offer for consideration by the membership of Landmark Lodge No. 383 ("Landmark Lodge"). The City desires to secure a permanent easement for the portion of the property located at 720 N. Apache Cir., Deltona, Florida 32725 currently being utilized for stormwater retention and further depicted in the attached land survey (the "Stormwater Area").

The term of the offer are as follows:

1. Landmark Lodge to grant a permanent easement in favor of the City for the Stormwater Area.
2. City to compensate Landmark Lodge in the amount of Thirty Nine Thousand Five Hundred Dollars (\$39,500.00).
3. Easement to include language limiting liability of Landmark Lodge for certain actions on the Stormwater Area.
4. The offer is contingent on approval by the City Commission at the next available Regular City Commission Meeting. If the City Commission does not approve, this offer shall be deemed null and void.

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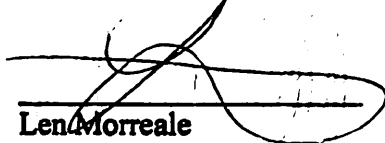
In addition to the terms above, City Staff will also meet with leadership of Landmark Lodge to issue a zoning verification letter and determine the feasibility of expansion of Landmark Lodge's existing facility.

Sincerely,



**Doc Dougherty
City Manager**

Acknowledgement and acceptance of offer:


**Len Morreale
Landmark Lodge**

2/13/25
Date

**Enclosures: Survey
Appraisal**

**cc: Robin Hayes, Deputy City Manager
Gemma Torcivia, Esq., City Attorney
Zackery Good, Esq., City Attorney**