

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

RESOLUTION NO. 18- _____

REGARDING THE ABANDONMENT OF A PORTION OF SE LAKE DRIVE
RIGHT- OF-WAY LYING WITHIN OLYMPIA, PLAT NO. 3,
MARTIN COUNTY, FLORIDA

WHEREAS, this Board has made the following determinations of fact:

1. Pursuant to notice published in The Stuart News on November 4, 2018, a public hearing was held by the Board of County Commissioners of Martin County, Florida, on the 20th of November, in the Martin County Administrative Center, 2401 SE Monterey Road, Stuart, Florida, concerning abandoning and vacating the following described right-of-way in Martin County, Florida:

SEE ATTACHED EXHIBIT "A"

2. Any and all persons desiring to be heard regarding this matter were given an opportunity to present their views to this Board;
3. This Board has determined that the above-described right-of-way will not be needed as a part of the County's road system;
4. This Board has determined that vacating and abandoning said right-of-way would not be contrary to the public interest;
5. This Board has determined that no property owner will be denied access to their property as a result of this abandonment; and

WHEREAS, by document titled Special Warranty Deed executed on September 17, 2018, the Banner Lake Club, Inc., conveyed real property as described in Exhibits "B" and "C", attached hereto to Martin County; and

WHEREAS, Sec. 139.31 and 139.21, General Ordinances, Martin County Code, require that any conveyance of an interest in land to Martin County for any public purpose shall be accepted and approved by resolution by the Board of County Commissioners of Martin County.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Martin County, Florida, that:

A. The following described right-of-way in Martin County, Florida, is hereby vacated and abandoned, subject to the conditions set forth in part B:

SEE ATTACHED EXHIBIT "A"

B. The vacation and abandonment of said right-of-way is subject to all easements of record and following conditions precedent:

- 1) Recording of the Special Warranty Deed from Banner Lake Club, Inc. conveying the real property as described in Exhibits "B" and "C" attached hereto, to Martin County; and
- 2) Publication one time within thirty (30) days, a Notice of Adoption of this Resolution in a newspaper of general circulation published in Martin County, Florida.

C. Martin County hereby accepts and approves the Special Warranty Deed conveyed by Banner Lake Club, Inc. and dedicates the property described therein as right-of-way.

THIS RESOLUTION SHALL NOT BE RECORDED UNTIL ALL CONDITIONS HAVE BEEN SATISFIED.

DULY PASSED AND ADOPTED THIS _____ DAY _____ OF 2018.

ATTEST:

MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS:

CAROLYN TIMMANN, CLERK
OF THE CIRCUIT COURT AND
COMPTROLLER

_____, CHAIRMAN

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

SARAH WOODS, COUNTY ATTORNEY