



- 3. Purpose of the Easement: To allow for installation and maintenance of utilities
- 4. New/Renewal/Modified: New
- 5. Duration: Perpetual
- 6. Benefits to Martin County: Addition of new easement to the County utility network
- 7. Cost to Martin County: None

The Real Property Division has confirmed ownership of the easement premises in Kevin Ganley and Sheri Ganley. The easement premises is encumbered by a Mortgage held by Caliber Home Loans, Inc., successor in interest to Harbor Community Bank, dated October 11, 2012 and recorded in Official Records Book 2607, Page 903, for which a Consent of Mortgagee has not been signed. Staff has exhausted all efforts with no response from the Mortgagee.

Sec. 139.31 and 139.32, 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 from the Board of County Commissioners of Martin County.

**ISSUES:**

None

**LEGAL SUFFICIENCY REVIEW:**

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

Move that the Board adopt the Resolution accepting and approving the Utility Easement from Kevin Ganley and Sheri Ganley and authorize the Chairman to execute any and all documents associated with this transaction.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from the Consent Agenda and direct staff with an alternate recommendation.

**FISCAL IMPACT:**

**RECOMMENDATION**

None. Title and recording fees to be paid by USD.

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- Budget Transfer / Amendment     Chair Letter     Contract / Agreement  
 Grant / Application     Notice     Ordinance     Resolution  
 Other:

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