

and to provide a secondary access to Sands Commerce Center in case of emergencies. The Board of County Commissioners adopted this project in its Capital Improvement Plan.

Robert H. Sands, as Managing Member of Sands CC, LCC, a Florida limited liability company, submitted a Road Opening Permit application to construct and open this portion of SW Cargo Way. The construction plans and the Engineer's Opinion of Probable Cost have been accepted by the County Engineer. Mr. Sands has agreed to design, obtain permits for, construct, and to dedicate and convey: ten feet (10') of right-of-way along the north side of SW Cargo Way; twenty feet (20') of right-of-way along the south side of SW Cargo Way; a ten-foot (10') wide Utility Easement; a ten-foot (10') wide Sidewalk Easement, and Drainage Easements at six (6) locations of varying widths along SW Cargo Way. The Real Property staff has confirmed ownership and there are no mortgages encumbering the dedication or easement premises.

Section 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 and pursuant to Section 336.08, Florida Statutes, the Board may designate the right-of-way property as a public County road.

Pursuant to Section 6.11. - Exemptions, credits, and deferrals (of Impact Fees), Mr. Sands has asked for the Board of County Commissioners to approve an Impact Fee Credit Agreement that provides up to \$675,000 in credit for transportation impact fees associated with vacant real property in Martin County that he plans to develop in the future.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

None

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board authorize the Chairman to execute the Impact Fee Credit Agreement and to adopt a Resolution accepting and approving a Warranty Deed for ten feet (10') of Right of Way on the north side of SW Cargo Way; twenty feet (20') of Right of Way on the south side of SW Cargo Way; a ten-foot (10') Utility Easement; a ten-foot (10') Sidewalk Easement, and a Drainage Easement at six locations of varying widths, all as a condition of approval of the SW Cargo Way Road Opening Application (ENG2021090020) from Sands CC, LLC, a Florida limited liability company, to Martin County and authorize the Chairman to sign any and all documents necessary to complete the transaction.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and provide staff direction.

FISCAL IMPACT:

RECOMMENDATION

None

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

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

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