



Legislation Details (With Text)

File #: 18-0503
Type: Consent
Status: Agenda Ready
In control: Board of County Commissioners
On agenda: 7/10/2018
Final action:
Title: ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A QUIT-CLAIM DEED FROM ENVIRONMENTAL STUDIES COUNCIL, INC., A FLORIDA NOT FOR PROFIT CORPORATION (ESC) FOR THE ADDITION OF PROPERTY ADJACENT TO THE JENSEN BEACH IMPOUNDMENT AREA AND ADOPTION OF A RESOLUTION TO INITIATE A FUTURE LAND USE AMENDMENT

Sponsors:

Indexes:

Code sections:

Attachments: 1. Jensen Beach Imp Location Map Revised cs.pdf, 2. JBI Extension Resolution.pdf, 3. Exhibit A.pdf, 4. Quit Claim Deed.pdf, 5. FLU Amendment Resolution.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Departmental

TITLE:

ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A QUIT-CLAIM DEED FROM ENVIRONMENTAL STUDIES COUNCIL, INC., A FLORIDA NOT FOR PROFIT CORPORATION (ESC) FOR THE ADDITION OF PROPERTY ADJACENT TO THE JENSEN BEACH IMPOUNDMENT AREA AND ADOPTION OF A RESOLUTION TO INITIATE A FUTURE LAND USE AMENDMENT

EXECUTIVE SUMMARY:

Staff requests adoption of a resolution approving and accepting a Quit-Claim Deed from ESC for 10 + acres adjacent to the Jensen Beach Impoundment Area and requests adoption of a resolution initiating a future land use amendment from Medium Density - PUD Residential to Public Conservation, along with a zoning change to Public Service.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Colleen J. Holmes, CLA
Title: Project Manager

REQUESTED BY: Terry Rauth, P.E., Public Works Director

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Quit-Claim Deed drafted by: Martin County - Real Property Division
2. Parties: Environmental Studies Council, Inc., Grantor
Martin County, Grantee
3. Purpose: Increase acreage of existing conservation lands and allow creation of a loop pedestrian/bicycle trail.
4. New/Renewal/Modified: New
5. Duration: Perpetual
6. Benefits to Martin County: Addition of 10+ acres of conservation land for recreational activities and allow completion of a full loop pedestrian/bicycle trail
7. Costs to Martin County: Minimal Recording Fees and Advertising Costs

The ESC received the 10+ acre parcel which is located adjacent to the Jensen Beach Impoundment Area by Quit-Claim Deed in 1986. Plans to locate a new Environmental Studies Center building on the property did not materialize and plans for education use fell through due to lack of bus access on the property. The ESC approached the County Ecosystem Restoration and Management Division to see if the County would be interested in the property for additional conservation land.

The addition of property will provide additional public access for hiking, biking, fishing, birding, and other recreational activities within the Jensen Beach Impoundment Area. The property consists of mostly mangrove habitat. Of the 10 + acres, there is a 2.25 acre pond which supports a multitude of fish and wildlife species. The addition of the property will allow the County to add to an existing FCT required hiking trail to create a full loop for improved public access.

Real Property has confirmed ownership of the property and there are no mortgages encumbering the property. Since ESC received the property by Quit-Claim Deed, ESC has executed a Quit-Claim Deed conveying the property to Martin County.

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 of the Board of County Commissioners of Martin County.

Policy 4.13A.11 of the Martin County Comprehensive Growth Management Plan states that land acquired by the County for institutional purposes shall be given the appropriate institutional land use designation.

The property is presently designated Medium Density - PUD Residential. Pursuant to Policy 4.13A.11 of the Martin County Comprehensive Growth Management Plan, Staff recommends adoption of a Resolution to initiate the process to change the Future Land Use to Public Conservation and the Zoning Designation to Public Service.

ISSUES:

None.

LEGAL SUFFICIENCY REVIEW:

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

RECOMMENDED ACTION:

RECOMMENDATION

1. Move that the Board adopt the Resolution accepting and approving the Quit-Claim Deed from Environmental Studies Council, Inc., a Florida not for profit corporation, and authorize the Chairman to execute any and all documents necessary to complete the transaction.
2. Move that the Board adopt the Resolution initiating the process to change the Future Land Use to Public Conservation and the Zoning Designation to Public Service.

ALTERNATIVE RECOMMENDATIONS

Move that the Board provide staff with alternative direction.

FISCAL IMPACT:

RECOMMENDATION

Minimal recording costs for Quit-Claim Deed and recording and advertising costs for Future Land Use change.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution
☒ Other: **2 Resolutions**