



Legislation Details (With Text)

File #: 19-0275

Type: Consent **Status:** Agenda Ready

In control: Board of County Commissioners

On agenda: 2/12/2019 **Final action:**

Title: ADOPT A RESOLUTION APPROVING AND ACCEPTING A UTILITY EASEMENT FROM MANATEE MARINE ASSOCIATES (MANATEE MARINE) FOR THE RELOCATION OF A FORCE MAIN LOCATED EAST OF SE DIXIE HIGHWAY AND SOUTH OF SE SALERNO ROAD

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map.pdf, 2. Resolution.pdf, 3. Executed UE and Consent of Mortgagee.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

ADOPT A RESOLUTION APPROVING AND ACCEPTING A UTILITY EASEMENT FROM MANATEE MARINE ASSOCIATES (MANATEE MARINE) FOR THE RELOCATION OF A FORCE MAIN LOCATED EAST OF SE DIXIE HIGHWAY AND SOUTH OF SE SALERNO ROAD

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Manatee Marine, located east of SE Dixie Highway and south of SE Salerno Road, for the construction of a new sewer force main check valve and sewer stackable box to be installed on the Manatee Marine property during the relocation of the force main. The check valve creates the line of ownership between Martin County and Manatee Marine.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Carla T. Segura
Title: Real Property Manager

REQUESTED BY: Samuel Amerson, Director, Utilities and Solid Waste Department

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Utility Easement Prepared By: Martin County

- | | |
|-------------------------------|--|
| 2. Parties to the Easement: | Manatee Marine Associates, Grantor
Martin County, Grantee |
| 3. Purpose of the Easement: | Relocation/construction of sewer force main check valve
and sewer stackable box |
| 4. New/Renewal/Modified: | New |
| 5. Duration: | Perpetual |
| 6. Benefits to Martin County: | Addition of a new easement to the County utility network. |
| 7. Cost to Martin County: | None |

The easement is needed across the Manatee Marine property adjacent to SE Dixie Highway for the relocation of the force main check valve and sewer stackable box.

The Real Property Division has confirmed the ownership of the easement premises is Manatee Marine Associates. The easement premises are encumbered by a commercial mortgage held by Seacoast National Bank. The mortgage is subordinated by a Consent of Mortgagee instrument which will be attached to the Easement

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 a Resolution accepting and approving the Utility Easement from Manatee Marine Associates, and authorize the Chairman to execute any and all documents necessary to complete the transaction.

ALTERNATIVE RECOMMENDATIONS

Direct staff with an alternate recommendation.

FISCAL IMPACT:

RECOMMENDATION

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

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:

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