



Legislation Details (With Text)

File #: 19-0728

Type: Consent **Status:** Agenda Ready

In control: Board of County Commissioners

On agenda: 8/13/2019 **Final action:**

Title: ADOPTION OF A RESOLUTION DESIGNATING THE FIFTY (50) FEET OF COUNTY OWNED PROPERTY ALONG OLD KANSAS AVENUE IN STUART AS ADDITIONAL COUNTY RIGHT OF WAY

Sponsors:

Indexes:

Code sections:

Attachments: 1. Old Kansas ROW.pdf, 2. RESO Right of way designation cs 7-8-19.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION DESIGNATING THE FIFTY (50) FEET OF COUNTY OWNED PROPERTY ALONG OLD KANSAS AVENUE IN STUART AS ADDITIONAL COUNTY RIGHT OF WAY

EXECUTIVE SUMMARY:

Staff requests adoption of a Resolution dedicating the existing fifty (50) feet of County owned property, recorded in Deed Book 42, Page 548, along Old Kansas Avenue as Public County Right of Way.

DEPARTMENT: Public Works

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

REQUESTED BY: Mallory Goldsmith, Esq., Kravit Law

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

On November 3, 1947, the County accepted a Quit Claim Deed for fifty (50) feet of property to be used as a County Road, later named Old Kansas Ave.

Martin County was contacted regarding a contract to purchase property at 8211 SW Old Kansas

Avenue. During the process, it was noted there was a gap between the Right-of-Way and the property in question. The property in the gap is owned by the County and has been used and maintained as part of the Right-of-Way for years.

In order to resolve the issue, staff is requesting the Board accept and approve a Resolution designating the fifty (50) feet along Old Kansas Avenue as Right-of-Way.

Pursuant to Section 336.08, Florida Statutes the Board may designate the Right-of-Way as a public County road by adoption of a Resolution.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine if 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 designating the existing fifty (50) feet of County owned property along Old Kansas Avenue as County owned Right of Way, and authorize the Chairman to execute any and all documents necessary to complete the transaction.

ALTERNATIVE RECOMMENDATIONS

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

FISCAL IMPACT:

RECOMMENDATION

None

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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