



Legislation Details (With Text)

File #: 20-0409

Type: Consent

Status: Agenda Ready

In control: Board of County Commissioners

On agenda: 2/18/2020

Final action:

Title: ACCEPTANCE OF A UTILITY EASEMENT FROM STUART KANNER BELLS, LLC, FOR WATER AND SEWER SERVICES AND UTILITY RELATED EQUIPMENT WITHIN KANNER BUSINESS PARK

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map.pdf, 2. Utility Easement Resolution.pdf, 3. Taco Bell #34612 Stuart, FL - Utility Easement (Recorded 7-25-19).pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

ACCEPTANCE OF A UTILITY EASEMENT FROM STUART KANNER BELLS, LLC, FOR WATER AND SEWER SERVICES AND UTILITY RELATED EQUIPMENT WITHIN KANNER BUSINESS PARK

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Stuart Kanner Bells, LLC, a Delaware limited liability company, for water and sewer services and utility related equipment facilities within Kanner Business Park, on the western side of SW Kanner Highway, north of SW Gaines Avenue, south of SW Salerno Road.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Carla T. Segura, RFP
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: | Stuart Kanner Bells, LLC, Grantor
Martin County, Grantee |
| 3. Purpose of the Easement: | To allow for water and sewer services and related utility equipment to service property located within the Kanner Business Park. |
| 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 Real Property Division has confirmed ownership of the easement premises in Stuart Kanner Bells, LLC, a Delaware limited liability company. The easement premises are not encumbered by a mortgage except for that certain mortgage in favor of Valley National Bank, whose address is 4790 140th Avenue North, Clearwater, Florida, 33762 (Mortgagee), dated October 12, 2018 and recorded in Official Records Book 3021, Page 1973, in Martin County, Florida, public records, which is subordinated by a Consent of Mortgagee instrument 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 the Resolution accepting and approving the Utility Easement from Stuart Kanner Bells, LLC, a Delaware limited liability company, and authorize the Chairman or designee 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.

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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