



## Legislation Details (With Text)

<b>File #:</b>	20-0422	<b>Status:</b>	Agenda Ready
<b>Type:</b>	Consent	<b>In control:</b>	Board of County Commissioners
<b>On agenda:</b>	2/18/2020	<b>Final action:</b>	
<b>Title:</b>	REQUEST FOR ADOPTION OF A RESOLUTON ACCEPTING AND APPROVING A DRAINAGE, ACCESS AND MAINTENANCE EASEMENT FROM TRAIL'S END FARM, LLC FOR DANFORTH CREEK		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Location Map.pdf, 2. Resolution.pdf, 3. Signed Drainage Access and Maintenance Easement.pdf, 4. TIITF Release - Moore Street - Application - Martin County Executed.pdf		

Date	Ver.	Action By	Action	Result
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**PLACEMENT:** Consent

**TITLE:**

**REQUEST FOR ADOPTION OF A RESOLUTON ACCEPTING AND APPROVING A DRAINAGE, ACCESS AND MAINTENANCE EASEMENT FROM TRAIL'S END FARM, LLC FOR DANFORTH CREEK**

**EXECUTIVE SUMMARY:**

Staff is requesting adoption of a resolution approving and accepting a Drainage, Access and Maintenance Easement from Trail's End Farm, LLC, a Florida limited liability company to provide Martin County with added drainage, access and maintenance for Danforth Creek.

**DEPARTMENT:** Public Works

**PREPARED BY:** **Name:** Colleen J. Holmes, CLA  
**Title:** Real Property Coordinator

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

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

Easement drafted by: Real Property Division

Parties to Easement: Trails End Farm, LLC, Grantor  
Martin County, Grantee

Purpose of Easement:	To provide access to maintain Danforth Creek
New/Renewal/Modified:	New
Duration:	Perpetual
Benefits to Martin County	To ensure proper drainage of Danforth Creek
Costs to Martin County:	Minimal recording costs

County staff was approached by the owners of property along SW Moore Street in Palm City requesting County Engineer approval of the release of State Road Reservations (TIITF Reservations) on its property. Staff analyzed the reservation and determined that there was no need to retain any portion of the reservation for roadway use.

During its review, staff identified the need for a Drainage, Access and Maintenance Easement ("Easement") to provide important access to maintain the section of Danforth Creek adjacent to the owners' property. The owners, Trail's End Farm, LLC, a Florida limited liability company, have provided the County with the executed Easement. The County Engineer signed off on and forwarded the Release of State Road Reservations, which is attached to this item, for final approval by the State.

Sections 139.31 and 139.32, General Ordinances, Martin County Code require that any conveyance of interest in land to Martin County for any public purpose shall be accepted and approved by resolution of the Board of County Commissioners.

An appropriate resolution accepting and approving the Drainage, Access and Maintenance Easement from Trail's End Farm, LLC, a Florida limited liability company has been prepared.

### **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 Drainage, Access and Maintenance Easement from Trail's End Farms, 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 with alternative direction.

**FISCAL IMPACT:**

**RECOMMENDATION**

Minimal recording costs.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

**ALTERNATIVE RECOMMENDATIONS**

Unknown.

**DOCUMENT(S) REQUIRING ACTION:**

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

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