



## Legislation Details (With Text)

**File #:** 19-0867

**Type:** Departmental

**Status:** Passed

**In control:** Board of County Commissioners

**On agenda:** 2/25/2020

**Final action:** 2/25/2020

**Title:** REQUEST FOR THE ADOPTION OF A RESOLUTION APPROVING THE DONATION OF A .43 ACRE VACANT COUNTY OWNED PARCEL IN INDIANTOWN FOR PUBLIC PURPOSE, TO INDIANTOWN CIVIC CLUB, INC.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Indiantown Civic Center Osceola Street.pdf, 2. Resolution.pdf, 3. County Deed 1.27.20 Mj.pdf, 4. Muni Code - Lot Split exemption.pdf, 5. 200127-Letter of Support.pdf, 6. Front View.png, 7. Side View.png, 8. back view.png, 9. Gardens.jpg, 10. Gardens 2.jpg, 11. Gardens 3.jpg, 12. Gardens 4.jpg

Date	Ver.	Action By	Action	Result
2/25/2020	1	Board of County Commissioners	approved	Pass

**PLACEMENT:** Departmental

**TITLE:**

**REQUEST FOR THE ADOPTION OF A RESOLUTION APPROVING THE DONATION OF A .43 ACRE VACANT COUNTY OWNED PARCEL IN INDIANTOWN FOR PUBLIC PURPOSE, TO INDIANTOWN CIVIC CLUB, INC.**

**EXECUTIVE SUMMARY:**

Indiantown Civic Club, Inc., a Florida not-for profit corporation (Club) is requesting the Board adopt a resolution accepting and approving a County Deed for the donation of .43 acre, of vacant, county owned property in Indiantown, located off of SW Osceola Street and SW Washington Avenue, directly behind the Club's facility, to provide additional space for public use.

**DEPARTMENT:** Public Works

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

**REQUESTED BY:** Craig Bauzenberger, Vice President, Indiantown Civic Club, Inc.

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

1. Agreement drafted by: Martin County

- |                                |   |
|--------------------------------|---|
| 2. Parties to the County Deed: | Martin County - Grantor<br>Indiantown Civic Club, Inc. - Grantee  |
| 3. Purpose of the County Deed: | Transfer of property for a public purpose   |
| 4. New/Renewal/Modified:       | New   |
| 5. Duration:                   | Perpetual   |
| 6. Benefits to Martin County:  | Provide additional green space for civic activities associated<br>with the Club's not for profit organization |
| 7. Cost to Martin County:      | None  |

At the July 30, 2019 Board meeting, Craig Bauzenberger, Vice President of Club, requested, during public comment, that Martin County donate a portion of County owned property directly behind the Club's property for additional green space and Club activities. The Club and the County together own the entire block. The Club owns approximately .3 acres, and the County owns approximately 1.31 acres. The property owned by each contains a portion of the platted right-of-way of Kissimmee Drive, which was abandoned in 1956.

The County originally operated a Fire Station at the corner of Osceola and Indian. In 1991 the County purchased two (2) adjacent parcels for a total of approximately \$55,000 for expansion of the Fire Station. After the purchase, the County determined it would be more cost effective to build a new Fire Station on a different location.

In 1998 it was discovered by staff that the existing Firehouse building encroached on the property owned by the Club and therefore the Club conveyed a ten (10) ft wide strip of their property to the County.

In 2001 Indian River State College (IRSC) began leasing a portion of the County's property, including the old Fire Station. IRSC renovated the building with the assistance of the County and the Indiantown Community Trust fund, for use as a satellite facility of its Chastain Campus, with a term of 10 years and four additional terms of 20 years each.

The Club has approached the County for use of the remainder of the County's parcel (approximately .43 acres of unused heavily wooded vacant land). Club would like to have an Indiantown Co-op/Food Plot area. The Club would also like to install some picnic tables and in ground grills as there are none located at Post Family Park which is across the street from the Club.

The Club is requesting the Board approve the donation of .43 acres of County owned property with a reverter clause specifying that should the property no longer be used for civic and recreational purposes; the property will automatically revert back to the County.

Staff received a letter of support from the Village of Indiantown for the purposes of creating community gardens, establishing a small park, and providing other community benefits.

Section 125.38, Florida Statutes, allows the County to convey property by private sale at a price,

nominal or otherwise, fixed by the Board despite the value of the property to a not for profit organized for promoting community interest and applies to the Board for a conveyance of the County owned property for public or community interest.

**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 donating the vacant land to Indiantown Civic Center, Inc., for public and civic use subject to a reverter clause and authorize the Chairman to execute any and all documents necessary to complete this transaction.

**ALTERNATIVE RECOMMENDATIONS**

Provide staff with alternate 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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