



Legislation Details (With Text)

File #:	20-0840	Status:	Agenda Ready
Type:	Consent	In control:	Board of County Commissioners
On agenda:	8/11/2020	Final action:	
Title:	ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A NON-EXCLUSIVE FLOW-THROUGH DRAINAGE AND ACCESS EASEMENT FROM 41164 JACK JAMES, LLC. (PROPERTY KNOWN AS "STUART 95 PLAZA") FOR ADDITIONAL NATURAL FLOWAGE AND DRAINAGE IN STUART		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Stuart 95 DE.pdf, 2. Reso Draft 7-11 cs.pdf, 3. Signed Easement.pdf, 4. 67238 Flow Thru Esmt & Water Sewer Lift Station 7-Eleven 8100 JJD Stuart Rev 06-08-20.pdf		

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A NON-EXCLUSIVE FLOW-THROUGH DRAINAGE AND ACCESS EASEMENT FROM 41164 JACK JAMES, LLC. (PROPERTY KNOWN AS "STUART 95 PLAZA") FOR ADDITIONAL NATURAL FLOWAGE AND DRAINAGE IN STUART

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a Non-Exclusive Flow-Through Drainage and Access Easement from Stuart 95 Plaza, for additional drainage flow through connection for Jack James Drive and Kanner Highway in Stuart.

DEPARTMENT: Public Works

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

REQUESTED BY: Michelle Cullum, Development Review Administrator

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Drainage Easement Prepared By: Martin County

2. Parties to the Easement: 41164 Jack James, LLC (Stuart 95 Plaza), Grantor;
Martin County, Grantee
3. Purpose of the Easement: To allow for additional flow through drainage for public purposes
within the Jack James Drive and Kanner Highway area.
4. New/Renewal/Modified: New
5. Duration: Perpetual
6. Benefits to Martin County: Free flow of water for public drainage purposes
7. Cost to Martin County: None.

Stuart 95 Plaza has agreed to grant a Non-Exclusive Flow-Through Drainage and Access Easement to allow for free flow and access to perform flow through drainage maintenance as may be necessary.

The Real Property Division has confirmed ownership of the easement area. The easement area is encumbered by a mortgage with Centennial Bank, an Arkansas Banking Company, who has consented 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 Non-Exclusive Flow-Through Drainage and Access Easement from 41164 Jack James, 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

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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