



Legislation Details (With Text)

File #: 21-0305
Type: Consent
Status: Passed
In control: Board of County Commissioners
On agenda: 1/12/2021
Final action: 1/12/2021
Title: ADOPTION OF TWO RESOLUTIONS FOR PURCHASE OF A 5.4 ACRE PARCEL OF ENVIRONMENTAL LANDS ON KUBIN AVENUE, ADJACENT TO MAGGIE'S HAMMOCK PARK FROM BROADBILL DEVELOPMENT, LLC

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map.pdf, 2. 1104_Budget Resolution.pdf, 3. Reso Broadbill Kubin 121720.pdf, 4. Conditional Contract Taryn-Mr. Dial Signed.pdf, 5. Executed Beneficial Interest Scan Dec 7, 2020 at 3.25 PM.pdf, 6. Boundary Survey.pdf, 7. Site Plan2019_1004_H113-004_App.pdf, 8. Pages from Appraisal 20-48006-900403.pdf

Date	Ver.	Action By	Action	Result
1/12/2021	1	Board of County Commissioners	approved	Pass

PLACEMENT: Consent

TITLE:

ADOPTION OF TWO RESOLUTIONS FOR PURCHASE OF A 5.4 ACRE PARCEL OF ENVIRONMENTAL LANDS ON KUBIN AVENUE, ADJACENT TO MAGGIE'S HAMMOCK PARK FROM BROADBILL DEVELOPMENT, LLC

EXECUTIVE SUMMARY:

Request for the adoption of two Resolutions, one approving and accepting a Vacant Land Contract and Warranty Deed and the other a Resolution approving fund transfer for the purchase of a 5.4-acre parcel, adjacent to Maggie's Hammock, in Rocky Point from Broadbill Development, LLC for environmental lands with funding from District 4 MSTU.

DEPARTMENT: Public Works

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

REQUESTED BY: Taryn Kryzda, County Administrator and Sarah Heard, District 4 Commissioner

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

- | | | |
|----|--------------------------------------|--|
| 1. | Documents drafted by: | Martin County |
| 2. | Parties to the Acquisition: | Martin County - Grantee
Broadbill Development, LLC - Grantor |
| 3. | Purpose of the Acquisition/Donation: | Acquisition of a 5.4-acre parcel of vacant land for park, trails and preservation of natural habitat |
| 4. | New/Renewal/Modification: | New |
| 5. | Duration: | Perpetual |
| 6. | Benefits to Martin County: | Addition of environmental lands to the County |
| 7. | Cost to Martin County: | \$450,000 purchase price, due diligence and closing costs not to exceed \$8,000 |

In August 2019, John Dial (owner) of Broadbill Development, LLC, was approached regarding the possible sale of a 5.4-acre parcel adjacent to Maggie's Hammock Park in Rocky Point.

This parcel is one of the few remaining natural areas in Rocky Point and is the home to several native species of plants and animals. It may be one of the last remaining critical maritime hammocks available for preservation. This 5.4-acre parcel is just north of Maggie's Hammock Park off Kubin Avenue, in Rocky Point. The owner recognizes the critical environmental value of the parcel. This transaction represents a great opportunity to preserve land and habitats for enjoyment by future generations.

A development order was initiated on the parcel, which will not be used when the County purchases the property.

Real Property has confirmed ownership of the property and there are no encumbrances on the property. An appraisal has been obtained. Commissioner Sarah Heard, District 4, would like to use District funds to purchase the property. All final documentation will be reviewed by Legal before recording.

In 2010, at Commissioner Heard's request, the Board established an Endowment Fund for Peck Lake Park and Twin Rivers Park to be funded by District 4 MSTU funds for approximately 10 years. The term of this Endowment Fund has expired and the amount in the Endowment Fund is in excess of what is needed to cover expenditures for those parks in FY21. Consistent with the original offer of funding, Commissioner Heard would like to terminate the Endowment Fund at the end of FY21; and at this time would like to move the excess funding back to the District 4 MSTU Fund.

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 by 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

1. Move that the Board adopt the Resolution accepting and approving the Vacant Land Contract and Warranty Deed for the purchase of the 5.4-acre parcel from Broadbill Development, LLC; and
2. Move that the Board adopt the Resolution approving the Inter-fund transfer from the Endowment Fund for Peck Lake Park and Twin Rivers Park to the District 4 MSTU Fund; and
3. Move that the Board authorize the Chair to execute any and all documents necessary to complete this 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
Purchase Price	\$450,000	
Closing Costs and Due Diligence	\$8,000	
Subtotal	\$458,000	
Project Total	\$458,000	

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☒ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution
☒ Other: **2 Resolutions**

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