



## Legislation Details (With Text)

**File #:** 21-0450

**Type:** Consent

**Status:** Agenda Ready

**In control:** Board of County Commissioners

**On agenda:** 3/9/2021

**Final action:**

**Title:** ACCEPTANCE OF A 15' UTILITY EASEMENT FROM DEBORA E. RADTKE FOR WATER AND WASTEWATER SERVICES AND UTILITY RELATED EQUIPMENT ON THE NORTHERN PORTION OF LOT 3, MARGOLO ESTATES, PALM CITY

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location\_Map.pdf, 2. Resolution.pdf, 3. Executed Utility Easement Pkg.pdf

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

### TITLE:

**ACCEPTANCE OF A 15' UTILITY EASEMENT FROM DEBORA E. RADTKE FOR WATER AND WASTEWATER SERVICES AND UTILITY RELATED EQUIPMENT ON THE NORTHERN PORTION OF LOT 3, MARGOLO ESTATES, PALM CITY**

### EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a 15' Utility Easement from Debora E. Radtke for water and wastewater services and utility related equipment on the northern portion of Lot 3, Margolo Estates in Palm City.

**DEPARTMENT:** Public Works

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

**REQUESTED BY:** Samuel Amerson, Utilities and Solid Waste Department Director

**PRESET:**

**PROCEDURES:** None

### **BACKGROUND/RELATED STRATEGIC GOAL:**

1. Utility Easement Prepared By: Martin County

2. Parties to the Easement: Debora E. Radtke, Grantor  
Martin County, Grantee

3. Purpose of the Easement: To allow for water and wastewater services and utility related equipment
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 - USD to associated costs

The Real Property Division has confirmed ownership. The easement premises are encumbered by a Mortgage held by Seacoast National Bank, a National Banking Association, dated December 18, 2020, and recorded December 28, 2020, in Official Records Book 3184, Page 2266, Martin County, Florida, public records, to which a Consent of Mortgagee instrument has been executed and 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 Debora E. Radtke and authorize the Chair to execute any and all documents associated with this transaction.

#### **ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from Consent Agenda and direct staff with an alternate recommendation.

#### **FISCAL IMPACT:**

#### **RECOMMENDATION**

None. Title and recording fees to be paid by USD.

#### **ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

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

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