



Legislation Details (With Text)

File #: 21-0793

Type: Consent

Status: Agenda Ready

In control: Board of County Commissioners

On agenda: 6/8/2021

Final action:

Title: ACCEPTANCE OF A UTILITY EASEMENT FROM PLANTATION STORAGE OF STUART, LLC, FOR WATER, FIRE, AND SEWER SERVICES ON THE EAST SIDE OF SE COMMERCE AVENUE IN STUART

Sponsors:

Indexes:

Code sections:

Attachments: 1. location map.pdf, 2. Resolution.pdf, 3. Executed Utility Easement.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

ACCEPTANCE OF A UTILITY EASEMENT FROM PLANTATION STORAGE OF STUART, LLC, FOR WATER, FIRE, AND SEWER SERVICES ON THE EAST SIDE OF SE COMMERCE AVENUE IN STUART

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Plantation Storage of Stuart, LLC, a Virginia limited liability company, for water, fire, and sewer services adjacent to the right-of-way and located on the east side of SE Commerce Avenue in Stuart.

DEPARTMENT: Public Works

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

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

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Utility Easement Prepared By: Martin County
2. Parties to the Easement: Plantation Storage of Stuart, LLC, Grantor
Martin County, Grantee

3. Purpose of the Easement: To allow for water, fire, and sewer services
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

The Real Property Division has confirmed ownership of the easement premises in Plantation Storage of Stuart, LLC, a Virginia limited liability company.

The easement premises are encumbered by a Mortgage held by Chesapeake Bank, a Virginia stock corporation, dated May 21, 2020, and recorded May 22, 2020, in Official Records Book 3130, Page 2826, 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 Plantation Storage of Stuart, LLC, a Virginia limited liability company 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:

- | | | |
|--|--|---|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input type="checkbox"/> Contract / Agreement |
| <input type="checkbox"/> Grant / Application | <input type="checkbox"/> Notice | <input type="checkbox"/> Ordinance |
| <input type="checkbox"/> Other: | <input checked="" type="checkbox"/> Resolution | |

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