



## Legislation Details (With Text)

**File #:** 21-1023

**Type:** Consent      **Status:** Agenda Ready

**In control:** Board of County Commissioners

**On agenda:** 9/14/2021      **Final action:**

**Title:** ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FROM LOBLOLLY COMMUNITY SERVICE CORPORATION FOR DEDICATED RIGHT-OF-WAY AS A REQUIREMENT OF ABANDONMENT ON LAND ADJACENT TO THE GOMEZ PRESERVE NATURE TRAIL

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map.pdf, 2. Location Map-Aerial.pdf, 3. Resolution cs 8-2-21.pdf, 4. Executed Warranty Deed pkg.pdf, 5. 2021-04-27 Action Summary Abandonment.pdf

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

**TITLE:**

**ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FROM LOBLOLLY COMMUNITY SERVICE CORPORATION FOR DEDICATED RIGHT-OF-WAY AS A REQUIREMENT OF ABANDONMENT ON LAND ADJACENT TO THE GOMEZ PRESERVE NATURE TRAIL**

**EXECUTIVE SUMMARY:**

This is a request for the adoption of a Resolution approving and accepting a Warranty Deed, for the dedication of a 132.20-foot-wide strip of right-of-way north of and abutting the Martin County (County) owned property known as Gomez Preserve Nature Trail, which is a condition of abandonment approved for the Loblolly Community Service Corporation on April 27, 2021.

**DEPARTMENT:** Public Works

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

**REQUESTED BY:** Thomas M. Walker, Jr., PSM, County Surveyor, Public Works Department

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

1. Document Drafted by: Martin County

- |                               |   |
|-------------------------------|---|
| 2. Parties:                   | Loblolly Community Service Corporation, Grantor<br>Martin County, Grantee   |
| 3. Purpose:                   | ROW Dedication of a 132.20-foot-wide strip of land north of<br>and abutting the Gomez Preserve Nature Trail                         |
| 4. New/Renewal/Modified:      | New   |
| 5. Duration:                  | Perpetual   |
| 6. Benefits to Martin County: | Dedication of ROW as condition of abandonment previously<br>approved by the Board for the Loblolly Community Service<br>Corporation |
| 7. Costs to Martin County:    | None  |

As a condition of right-of-way abandonment presented to the Board on April 27, 2021, between Florida Inland Navigation District, Loblolly Community Service Corporation and the County, County agreed to accept a 132.20-foot-wide strip of right-of-way on the parcel north of and abutting the Gomez Preserve Nature Trail. Pursuant to Sec. 336.08, Fla. Stat., the Board may designate the property as a public County road by adoption of a Resolution.

The Applicant has provided the required due diligence materials and the Real Property Division has confirmed ownership of the property to be conveyed and that there are no encumbrances on the property.

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 approve the Resolution accepting the conveyance of a Warranty Deed of a 132.20-foot-wide strip of right-of-way along the north side of the Gomez Preserve Nature Trail in Hobe Sound from Loblolly Community Service Corporation, and designating the property as right-of-way and 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 an alternative recommendation.

## FISCAL IMPACT:

### RECOMMENDATION

None

## 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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