



Legislation Details (With Text)

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Type: Consent

Status: Agenda Ready

In control: Board of County Commissioners

On agenda: 9/28/2021

Final action:

Title: APPROVAL OF A SALES CONTRACT FOR THE ACQUISITION OF 8456 SE FERN STREET IN HOBE SOUND AND ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FROM RENEE MCCLAIN

Sponsors:

Indexes:

Code sections:

Attachments: 1. Fern St. Banner Lake Acq.pdf, 2. Fern_St.McClain Contract.pdf, 3. Reso cs.pdf, 4. Trustees' Deed OR Bk 2751 PG 114.pdf, 5. REPORT 8456 Fern St Hobe Sound.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

APPROVAL OF A SALES CONTRACT FOR THE ACQUISITION OF 8456 SE FERN STREET IN HOBE SOUND AND ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FROM RENEE MCCLAIN

EXECUTIVE SUMMARY:

This is a request for approval of an "As Is" Sales Contract for the acquisition of a property located at 8456 SE Fern Street, Hobe Sound, which was identified as needed for additional flood attenuation and adoption of a resolution approving and accepting a Warranty Deed from Renee McClain, a single woman.

DEPARTMENT: Public Works

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

REQUESTED BY: James Gorton, Public Works Director

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Agreement/Contract drafted by: Martin County

- | | | |
|----|------------------------------------|---|
| 2. | Parties to the Agreement/Contract: | Martin County - Grantee
Renee McClain- Grantor |
| 3. | Purpose of the Agreement/Contract: | Acquisition of parcel for flood attenuation |
| 4. | New/Renewal/Modification: | New |
| 5. | Duration: | Perpetual |
| 6. | Benefits to Martin County: | Additional space for flood abatement efforts |
| 7. | Cost to Martin County: | \$235,000 acquisition, plus closing costs |

The subject property is located at the intersection of SE Fern Street and SE Lantana Ave in the Olympia Subdivision (Banner Lake), and the house is a repetitive loss property that has flooded at least 4-6 times in the past 20 years. Fern Street and Lantana Ave also flood in the same rain events, which impacts access for residents and emergency services. The most recent flood event occurred in September 2020. It also flooded in June/July 2020, when thirty inches (30") of rainfall was experienced in Hobe Sound over a ten-day period, which amounts to almost half the yearly expected rainfall. While this was an extreme event, recent experience has indicated that our weather norms are changing.

There is no outfall from this location, and the elevation of the road and home make a gravity outfall impractical. The intent of purchasing this property is to remove the home and create a dry retention on the lot. The dry retention will provide for additional storage of stormwater, which will reduce the frequency and duration of flooding of the roadways.

On July 12, 2021 an Appraisal for the Market Value of the property was obtained. Renee McClain has been identified as the owner of the property. An "As-Is" contract for sale and purchase of the property will be executed, along with adequate time to obtain due diligence on the property prior to final acquisition.

Funding for this project will come from the American Rescue Plan Act of 2021 ("ARPA") Funding.

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 of 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 approve the "As Is" Sales Contract for the acquisition of property located at 8456 SE Fern Street, Hobe Sound and authorize the County Administrator or designee to execute; and
2. Move that the Board adopt a resolution approving and accepting a Warranty Deed from Renee McClain, a single woman and authorize the Chair to execute any and all documents necessary to complete this transaction upon final approval by the County Attorney's office.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and provide staff direction.

FISCAL IMPACT:

RECOMMENDATION

\$235,000.00 purchase price with additional costs for recording fees, demolition, site grading and closing costs.

Funding Source	County Funds	Non-County Funds
Purchase Price - Acct # TBD	\$235,000.00	
Closing Costs (estimated)	\$5,000.00	
Demo/Site work	\$12,000.00	
Subtotal		
Project Total	\$252,000.00	

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

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

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