



Legislation Details (With Text)

File #: 22-1148

Type: Consent **Status:** Agenda Ready

In control: Board of County Commissioners

On agenda: 8/16/2022 **Final action:**

Title: ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A DRAINAGE, ACCESS, AND MAINTENANCE EASEMENT FROM MCARTHUR GOLF CLUB, L.L.C., TO SUPPORT THE FACILITIES BEING CONSTRUCTED WITH THE OPENING OF SE CYPRESS AVENUE IN POINCIANA GARDENS

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map.pdf, 2. Draft Resolution.pdf, 3. Easement pkg.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A DRAINAGE, ACCESS, AND MAINTENANCE EASEMENT FROM MCARTHUR GOLF CLUB, L.L.C., TO SUPPORT THE FACILITIES BEING CONSTRUCTED WITH THE OPENING OF SE CYPRESS AVENUE IN POINCIANA GARDENS

EXECUTIVE SUMMARY:

This is a request for the adoption of a resolution accepting and approving a Drainage, Access, and Maintenance Easement from McArthur Golf Club, L.L.C., to provide the County access to maintain the stormwater management facilities being constructed to support the opening of SE Cypress Avenue in Poinciana Gardens.

DEPARTMENT: Public Works

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

REQUESTED BY: Lisa A. Wichser, P.E., CFM

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Documents Prepared by: Martin County Real Property Division
2. Parties to Documents: McArthur Golf Club, L.L.C., Grantor
Martin County, Grantee
3. Purpose: To provide Martin County access to maintain the stormwater management facilities being constructed to support the opening of SE Cypress Avenue in Poinciana Gardens
4. New/Renewal/Modified: New
5. Duration: Perpetual
6. Benefits to Martin County: The County will have a legal access to maintain the facilities being constructed by McArthur Golf Club
7. Cost to Martin County: None

In association with its application for the Revised Final Site Plan for the McArthur West Golf Club, McArthur Golf Club, L.L.C., a Delaware corporation, is proposing to construct SE Cypress Avenue in existing unopened right-of-way that was dedicated to the public in the plat of Poinciana Gardens Sections 3 & 4, as recorded in Plat Book 2, Page 105 of the public records of Martin County, Florida. SE Cypress Avenue will provide access to a new maintenance facility for the McArthur West Golf Club. The stormwater runoff from the new road will be provided in and through facilities on the McArthur West Golf Club; therefore, McArthur Golf Club, L.L.C. is providing an easement to Martin County so that the County may access the facilities for perpetual maintenance.

McArthur Golf Club, L.L.C. has provided the required due diligence materials and the Real Property Division has confirmed ownership of the property to be conveyed. There are no encumbrances or mortgages 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 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

- Move that the Board adopt the Resolution accepting and approving the Easement from

McArthur Golf Club, L.L.C., a Delaware corporation.

- Move that the Board authorize the Chairman to execute all documents necessary to complete the transaction.

ALTERNATIVE RECOMMENDATIONS

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

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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