



Legislation Details (With Text)

File #: 23-0816

Type: Consent **Status:** Agenda Ready

In control: Board of County Commissioners

On agenda: 6/6/2023 **Final action:**

Title: ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A UTILITY EASEMENT FROM WP HANSON STUART MF-FL OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR WATER, SEWER, AND FIRE SERVICES WITHIN CITY OF STUART

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location_Map.pdf, 2. Resolution.pdf, 3. Utility Easement.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A UTILITY EASEMENT FROM WP HANSON STUART MF-FL OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR WATER, SEWER, AND FIRE SERVICES WITHIN CITY OF STUART

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution approving and accepting a Utility Easement from WP Hanson Stuart MF-FL Owner, LLC, a Delaware limited liability company, to allow for water, sewer, and fire services to Volaris Stuart located north of SE Springtree Place and west of SE Federal Highway within the City of Stuart.

DEPARTMENT: Public Works

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

REQUESTED BY: Samuel Amerson, Utilities and Solid Waste Director

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

Utility Easement Prepared By:
Martin County

Parties to the Easement:

WP Hanson Stuart MF-FL Owner, LLC - Grantor
Martin County - Grantee

Purpose of the Easement:

Water, sewer, and fire services

New/Renewal/Modified:

New

Duration:

Perpetual

Benefits to Martin County:

Addition of new easement to the County utility network

Cost to Martin County:

None

The Real Property Division has confirmed ownership of the easement premises in WP Hanson Stuart MF-FL Owner, LLC, a Delaware limited liability company.

The easement premises are encumbered by a Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing held by Citizens Bank, National Association, a national banking association, dated March 8, 2022, and recorded March 16, 2022, in Official Records Book 3300, Page 296, Martin County, Florida.

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 approving and accepting a Utility Easement from WP Hanson Stuart MF-FL Owner, LLC, a Delaware limited liability company, to Martin County and authorize the Chairman to execute any and all documents associated with this transaction.

ALTERNATIVE RECOMMENDATIONS

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

FISCAL IMPACT:

RECOMMENDATION

None

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

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

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