Board of County Commissioners

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

File ID: 19-0436 CNST-10 **Meeting Date:** 4/23/2019

PLACEMENT: Consent

TITLE:

ACCEPTANCE OF A UTILITY EASEMENT FROM JEFFREY AND MARIAN J. DUCKWORTH FOR CONSTRUCTION OF VACUUM SEWER SYSTEM COMPONENTS AND UTILITY RELATED EQUIPMENT IN NORTH RIVER SHORES

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Jeffrey and Marian J. Duckworth for the construction of vacuum sewer system components and utility related equipment facilities to service their property on east side of NW Pine Lake Drive in North River Shores.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Carla T. Segura
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:	Jeffrey and Marian J. Duckworth, Grantor; Martin County, Grantee.
3. Purpose of the Easement:	To allow for the construction of vacuum sewer system components and related utility equipment to service their property.
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 Jeffrey and Marian J. Duckworth. The easement premises are encumbered by a mortgage held by Third Federal Savings and Loan of Cleveland, dated April 23, 2013 and an Open-End Mortgage dated December 14, 2016. The mortgage is subordinated by a Consent of Mortgagee instrument attached to the Easement granted by Jeffrey and Marian J. Duckworth.

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 Jeffrey and Marian J. Duckworth.

ALTERNATIVE RECOMMENDATIONS

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

FISCAL IMPACT:

RECOMMENDATION

None. Title and recording fees to be paid by USD.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

☐Budget Transfer / Amendment ☐ Chair Letter ☐Contract / Agreement

☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution

☐ Other:

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