



Agenda Item Summary

File ID: 19-0717

CNST-7

Meeting Date: 7/30/2019

PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING FOUR QUIT CLAIM DEEDS TO OBTAIN ADDITIONAL RIGHT OF WAY ALONG HAVEN LANE FOR A UTILITY PROJECT IN RIO LOCATED OFF OF DIXIE HIGHWAY

EXECUTIVE SUMMARY:

Request for the adoption of a Resolution approving and accepting four (4) Quit Claim Deeds (QCD's) to provide additional right of way (ROW) along Haven Lane as required for a current utility project.

DEPARTMENT: Administration

PREPARED BY: **Name:** Susan Kores
Title: Manager, Office of Community Development

REQUESTED BY: Susan Kores

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. QCD's Prepared by: Martin County, Real Property Division
2. Parties to the QCD's: Carol Susan Glass, Grantor
Wayne, Patricia and Douglas Rosenberg, Grantors
Mark Walczak, Grantor
Gregory W. Kurpita, Grantor
Martin County, Grantee
3. Purpose of QCD's: Additional ROW for installation of utilities
4. New/Renewal/Modified: New
5. Duration: Perpetual
6. Benefits to Martin County: Addition of ROW to provide utility service along Haven Lane in Rio
7. Cost to Martin County: Minimal recording fees to be paid by the Rio Community

Redevelopment Trust Fund

Community redevelopment areas are some of the oldest neighborhoods in the County and, consequently, have antiquated septic systems and older wells, many at the point of failure. These failures contribute to environmental issues within the communities and ultimately throughout the County. The provision of County water and the conversion of septic systems to sewer will have a positive impact not only on the residents but also on the waterways.

As described in the redevelopment plan for the Rio community redevelopment area, the provision of water and sewer infrastructure is essential to stimulate redevelopment activities in Rio. This project, utilizing tax increment funds, will allow water and sewer hook up to be possible for the residents on Haven Lane in the Rio community redevelopment area. The Board of County Commissioners is requested to approve and accept four separate QCD's along Haven Lane and designate the acquired property ROW so that the County has adequate ROW to complete the project.

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 by the Board of County Commissioners of Martin County.

Staff has confirmed the ownership of the properties and determined they are not encumbered by any Mortgages.

ISSUES:

In reviewing the title work for the properties, it became apparent there may be some implied interest in Tract 43, 46 and 47. Quit Claim Deeds associated with those two Tracts have been executed to eliminate possible questions of ownership.

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 the four separate Quit Claim Deeds from 1) Carol Susan Glass; 2) Wayne E. Rosenberg, Patricia A. Rosenberg and Douglas Rosenberg; 3) Mark Walczak; and 4) Gregory W. Kurpita and designating the acquired property as right-of-way and authorize the Chairman to execute all documents necessary to complete the transaction.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and direct staff.

FISCAL IMPACT:

RECOMMENDATION

None

| 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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