



Agenda Item Summary

File ID: 20-0422

CNST-18

Meeting Date: 2/18/2020

PLACEMENT: Consent

TITLE:

REQUEST FOR ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A DRAINAGE, ACCESS AND MAINTENANCE EASEMENT FROM TRAIL'S END FARM, LLC FOR DANFORTH CREEK

EXECUTIVE SUMMARY:

Staff is requesting adoption of a resolution approving and accepting a Drainage, Access and Maintenance Easement from Trail's End Farm, LLC, a Florida limited liability company to provide Martin County with added drainage, access and maintenance for Danforth Creek.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Colleen J. Holmes, CLA
Title: Real Property Coordinator

REQUESTED BY: Terry Rauth, P.E., Public Works Director

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

Easement drafted by:	Real Property Division
Parties to Easement:	Trails End Farm, LLC, Grantor Martin County, Grantee
Purpose of Easement:	To provide access to maintain Danforth Creek
New/Renewal/Modified:	New
Duration:	Perpetual
Benefits to Martin County	To ensure proper drainage of Danforth Creek
Costs to Martin County:	Minimal recording costs

County staff was approached by the owners of property along SW Moore Street in Palm City requesting County Engineer approval of the release of State Road Reservations (TIITF Reservations)

on its property. Staff analyzed the reservation and determined that there was no need to retain any portion of the reservation for roadway use.

During its review, staff identified the need for a Drainage, Access and Maintenance Easement ("Easement") to provide important access to maintain the section of Danforth Creek adjacent to the owners' property. The owners, Trail's End Farm, LLC, a Florida limited liability company, have provided the County with the executed Easement. The County Engineer signed off on and forwarded the Release of State Road Reservations, which is attached to this item, for final approval by the State.

Sections 139.31 and 139.32, General Ordinances, Martin County Code require that any conveyance of interest in land to Martin County for any public purpose shall be accepted and approved by resolution of the Board of County Commissioners.

An appropriate resolution accepting and approving the Drainage, Access and Maintenance Easement from Trail's End Farm, LLC, a Florida limited liability company has been prepared.

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 Drainage, Access and Maintenance Easement from Trail's End Farms, LLC, a Florida limited liability company to Martin County and authorize the Chairman to sign any and 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

Minimal recording costs.

Funding Source	County Funds	Non-County Funds
Subtotal		

Project Total		
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ALTERNATIVE RECOMMENDATIONS

Unknown.

DOCUMENT(S) REQUIRING ACTION:

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

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