



Agenda Item Summary

File ID: 20-1042

CNST-10

Meeting Date: 10/27/2020

PLACEMENT: Consent

TITLE:

ACCEPTANCE OF A UTILITY EASEMENT FROM SEACOAST HOTELS, INC. FOR FIRE AND WATER SERVICE LOCATED ON THE SOUTHWEST AND SOUTHEAST CORNERS OF TRACT 1 ADJACENT TO FISCHER STREET IN STUART

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Seacoast Hotels, Inc., a Florida corporation, for fire and water service located on the southwest and southeast corners of Tract 1 adjacent to Fischer Street within the City of Stuart.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Carla T. Segura, FRP
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: Seacoast Hotels, Inc., Grantor
Martin County, Grantee
 3. Purpose of the Easement: To allow for fire and water service located on the southwest and southeast corners of the property adjacent to Fischer Street
 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
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The Real Property Division has confirmed ownership of the easement premises in Seacoast Hotels, Inc., a Florida corporation.

The easement premises are encumbered by two Mortgages held by Wauchula State Bank, dated September 6, 2018, and recorded in Official Records Book 3015, Page 220, and Book 3015, Page 247, all in Martin County, Florida, public records, to which a Consent of Mortgagee instrument has been executed and attached to the easement.

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 Seacoast Hotels, Inc., a Florida corporation, and authorize the Chairman to execute any and all documents associated with this transaction.

ALTERNATIVE RECOMMENDATIONS

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

FISCAL IMPACT:

RECOMMENDATION

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

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 checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Other: | | |

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