



## Agenda Item Summary

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**File ID:** 20-1043

**CNST-11**

**Meeting Date:** 9/29/2020

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**PLACEMENT:** Consent

**TITLE:**

**ADOPTION OF A RESOLUTION ACCEPTING A UTILITY EASEMENT FROM RCA HOLDINGS, LLC FOR FIRE AND WATER SERVICES LOCATED ON THE SOUTH SIDE OF LOT 7 ADJACENT TO SW JACK JAMES DRIVE**

**EXECUTIVE SUMMARY:**

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from RCA Holdings, LLC, a Florida limited liability company, for fire and water services located on the south side of the proposed entrance drive to Lot 7 along the east side of SW Jack James Drive.

**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: RCA Holdings, LLC, Grantor  
Martin County, Grantee
3. Purpose of the Easement: To allow for fire and water services located on the south side of lot 7 and adjacent to SW Jack James Drive
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 RCA Holdings, LLC, a Florida limited liability company.

The easement premises are encumbered by a Mortgage in favor of South State Bank, N.A., successor in interest to CenterState Bank, N.A., dated and recorded November 14, 2018, in Official Records Book 3027, Page 4, and the Assignment of Rents dated and recorded November 14, 2018, in Official Records Book 3027, Page 16, 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 RCA Holdings, LLC, a Florida limited liability company and authorize the Chairman or designee to execute any and all documents associated with this transaction.

**ALTERNATIVE RECOMMENDATIONS**

*Pull 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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