



## Agenda Item Summary

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**File ID:** 21-0261

**CNST-6**

**Meeting Date:** 1/12/2021

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**PLACEMENT:** Consent

**TITLE:**

**ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FOR THE DEDICATION OF RIGHT-OF-WAY ALONG SW MAPP ROAD ADJACENT TO THE OAKS IN PALM CITY FROM RALPH S. PARKS, AS SUCCESSOR TRUSTEE**

**EXECUTIVE SUMMARY:**

As a condition of approval of a Minor Final Site Plan for The Oaks, the Applicant is required to dedicate right-of-way necessary to make SW Mapp Road consistently 80 feet wide. Staff is requesting the adoption of a Resolution approving and accepting a Warranty Deed dedicating to Martin County the property necessary for right-of-way along SW Mapp Road adjacent to the former Loxahatchee Nursery of Stuart, now known as The Oaks.

**DEPARTMENT:** Public Works

**PREPARED BY:** **Name:** Carla T. Segura, FRP  
**Title:** Real Property Manager

**REQUESTED BY:** Paul Schilling, Growth Management Director

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

1. Documents Drafted by: Tyson Waters, Esq. and Martin County
2. Parties: Ralph H. Parks, as Successor Trustee, Grantor  
Martin County, Grantee
3. Purpose: ROW Dedication for consistency on SW Mapp Road to 80 feet wide
4. New/Renewal/Modified: New
5. Duration: Perpetual
6. Benefits to Martin County: To make SW Mapp Road ROW consistently 80 feet wide in the area of The Oaks

7. Costs to Martin County: None

As a condition of approval of a Minor Final Site Plan for The Oaks, which is located on SW Mapp Road in Palm City, the Applicant is required to dedicate to Martin County the right-of-way necessary to make SW Mapp Road consistently 80 feet wide in the area of The Oaks development, formerly known as the Loxahatchee Nursery of Stuart. Pursuant to Sec. 336.08, Fla. Stat., the Board may designate the property as a public County road by adoption of a Resolution.

The Applicant has provided the required due diligence materials and the Real Property Division has confirmed ownership of the property to be conveyed and that there no mortgages encumbering the property.

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 approve the Resolution accepting the conveyance of a Warranty Deed for property necessary as right-of-way along SW Mapp Road from Ralph S. Parks, as Successor Trustee under provisions of a certain Trust Agreement dated November 11, 1998, and designating the property as right-of-way for SW Mapp Road and authorize the Chair to execute any and all documents necessary to complete this transaction.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* the item and provide staff with an alternative recommendation.

**FISCAL IMPACT:**

**RECOMMENDATION**

None. Recording fees paid for by the Applicant.

**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 type="checkbox"/> Ordinance
		<input checked="" type="checkbox"/> Resolution

☐ Other:

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