



# Board of County Commissioners

2401 SE Monterey Road  
Stuart, Florida 34996

## Agenda Item Summary

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**File ID:** 21-0276

**CNST-7**

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

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**PLACEMENT:** Consent

**TITLE:**

**ACCEPTANCE OF A UTILITY EASEMENT FROM MARK DEMBOSKI AND JUDY A. DEMBOSKI FOR WATER SERVICES AND MAINTENANCE OF CERTAIN UTILITY RELATED EQUIPMENT FOR THE EVERGREEN/WINDSTONE WATER MAIN EXTENSION PROJECT**

**EXECUTIVE SUMMARY:**

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Mark Demboski and Judy A. Demboski for water services and maintenance of certain utility related equipment for the Evergreen/Windstone water main extension project.

**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: Mark Demboski and Judy A. Demboski, Grantor  
Martin County, Grantee
3. Purpose of the Easement: To allow for water services and maintenance of certain related utility equipment for the Evergreen/Windstone water main extension project.
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 Mark Demboski

and Judy A. Demboski. The easement premises are not encumbered by a mortgage.

Utilities Department will issue a Water Services Agreement to be executed after acceptance and approval of the Utility Easement to provide credit towards the water assessment, including capital facility charges on 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 adopt the attached Resolution accepting and approving the Utility Easement from Mark Demboski and Judy A. Demboski and authorize the Chair to execute any and all documents associated with this transaction.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from Consent Agenda 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 type="checkbox"/> Ordinance            |
| <input type="checkbox"/> Other:                      | <input checked="" type="checkbox"/> Resolution |   |

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