



Agenda Item Summary

File ID: 21-0306

CNST-9

Meeting Date: 1/5/2021

PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A SPECIAL WARRANTY DEED FOR THE DONATION OF A 6.89-ACRE PARCEL OF ENVIRONMENTALLY SENSITIVE LAND ADJACENT TO KIPLINGER NATURE PRESERVE FROM FAIRVIEW PROPERTIES, INC.

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution approving and accepting a Special Warranty Deed for the donation of a 6.89-acre parcel, adjacent to Kiplinger Nature Preserve in Stuart, Florida from Fairview Properties, Inc.

DEPARTMENT: Public Works

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

REQUESTED BY: Fairview Properties, Inc.

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

- | | | |
|----|--------------------------------------|---|
| 1. | Special Warranty Deed drafted by: | Martin County |
| 2. | Parties to the Acquisition: | Martin County - Grantee
Fairview Properties, Inc. - Grantor |
| 3. | Purpose of the Acquisition/Donation: | Acquisition of a parcel of vacant ecologically sensitive land for preservation of natural habitat |
| 4. | New/Renewal/Modification: | New |
| 5. | Duration: | Perpetual |
| 6. | Benefits to Martin County: | Addition of environmental lands to the County |
| 7. | Cost to Martin County: | Minimal closing costs and recording fees |

The Kiplinger Nature Preserve consists of approximately 116 acres and was acquired by the County using funds from the Lands for You Program and grant funding through the Florida Communities Trust in 1991-1993. As part of the negotiated acquisition and in addition to the 116 acres, The Kiplinger Washington Editors, Inc. donated approximately 41 acres of island property within the St. Lucie River to the County. Kiplinger Nature Preserve is a popular destination for nature hikers and for people parking to walk across the Veteran's Memorial Bridge. Fairview Properties, Inc. owns the property between the Kiplinger Nature Preserve and the Veteran's Memorial Bridge at the southwest corner of SR-76 (S Kanner Highway) and CR-714 (SW Martin Highway).

In August 2020, representatives from Fairview Properties, Inc. approached the Board of County Commissioners regarding the donation of this 6.89-acre parcel. The donation was initiated by the Kiplinger family of Washington, D.C. and Sewall's Point, who recognized the critical conservation value of the parcel. This transaction represents a great opportunity to preserve conservation land and habitat. The parcel consists of more than two acres of dry upland, mature slash pines and saw palmetto, sloping down to almost 5 acres of wetlands and mangroves on the St. Lucie River.

This property will be added to the Kiplinger Nature Preserve and will create new recreational possibilities for that property. The Ecosystem Division staff is excited to add this property to its collection of managed conservation lands.

The Real Property Division staff has researched the title, confirmed ownership, and verified there are no encumbrances on the property. No additional due diligence was necessary due to the ecological nature of 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 by 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 a Resolution accepting and approving the Special Warranty Deed for the 6.89-acre parcel, effective December 30, 2020 and authorize the Chair to execute any and all documents necessary to complete this transaction.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the consent agenda and provide staff with alternative direction.

FISCAL IMPACT:

RECOMMENDATION

None

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

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

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