



Agenda Item Summary

File ID: 21-0790

CNST-8

Meeting Date: 6/8/2021

PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION ACCEPTING TWO QUIT CLAIM DEEDS FROM SOUTHERN LAND GROUP, INC., DESIGNATING ONE PARCEL AS RIGHT OF WAY AND THE OTHER AS DRAINAGE FOR DANFORTH CREEK IN PALM CITY

EXECUTIVE SUMMARY:

This is a request for the adoption of a resolution accepting two Quit Claim Deeds from Southern Land Group, Inc., an inactive Florida corporation, clearing interest in the properties still under the corporate name in order to dissolve the corporation, located in Palm City Florida.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Carla T. Segura, FRP

Title: Real Property Manager

REQUESTED BY: Elizabeth P. Bonan, Attorney for Southern Land Group, Inc.

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Documents prepared by: Martin County
2. Parties to the Agreement: Southern Land Group, Inc. - party of the first part
Martin County - party of the second part
3. Purpose of the document: Resolve ownership issues no longer needed
by Southern Land Group, Inc.
4. New/Revised/Modified: New
5. Duration: Perpetual
6. Benefits to Martin County: Resolve overlap in drainage and right
of way
7. Cost to Martin County: Minimal recording fees

Attorneys for Southern Land Group, Inc., the developer of the Martin Down DRI, contacted staff and wishes to conclude all outstanding title rights in order to dissolve the corporation. Four parcels remain owned by Southern Land Group, Inc. that were not fully transferred during the Martin Downs Utility transfer.

Martin Downs Property Owners Association, Inc. (MDPOA), will accept two of the parcels, but have no need for the remaining two, since there is no association property adjacent and no reason for the association to own.

The two remaining parcels, the first (Parcel 1) is along Mapp Road immediately adjacent to the county's Justin Wilson (Palm City) Park and county right of way for Mapp Road. A portion of this parcel was transferred to the County in 1989, with A Special Warranty Deed recorded at OR Book 839, Page 2323, official records of Martin County. This small segment was omitted from the legal description during the transfer. To resolve any future questionable ownership or overlap, Southern Land Group, Inc., wishes to Quit Claim the parcel in its entirety to the County.

Pursuant to Section 336.08, Florida Statutes the Board may designate property as Right of Way for public County road by adoption of a Resolution.

The second (Parcel 2) is located along Danforth Creek where immediately south of where it runs under Martin Downs Boulevard. A portion of this parcel was conveyed and accepted by the County in 1985 with a Quit Claim Deed recorded at OR Book 632, Page 1136, official records of Martin County. In order to transfer the entire parcel, a new legal description was created by the Survey Division, which will resolve any further uncertainty.

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 the resolution accepting two Quit Claim Deeds from Southern Land Group, Inc., an inactive Florida corporation, designating Parcel 1 as right of way and authorize the Chair to execute any and all documents necessary to complete the transaction.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and direct staff accordingly.

FISCAL IMPACT:

RECOMMENDATION

None

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- | | | |
|--|---------------------------------------|--|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input checked="" 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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