



Board of County Commissioners

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

File ID: 22-0113

CNST-16

Meeting Date: 10/19/2021

PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A NON-EXCLUSIVE FLOW-THROUGH DRAINAGE AND ACCESS EASEMENT FROM NEW URBAN AVONLEA, LLC ALONG NW GREEN RIVER PARKWAY

EXECUTIVE SUMMARY:

This is a request for the adoption of a resolution accepting and approving a 25' Non-Exclusive Flow-Through Drainage and Access Easement along NW Green River Parkway from New Urban Avonlea, LLC as a condition of approval of the Right of Way Use Permit ENG2020090013.

DEPARTMENT: Public Works

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

REQUESTED BY: Michelle Cullum, Development Review Administrator

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

- | | | |
|----|----------------------------|---|
| 1. | Documents Prepared by: | Martin County Real Property Division |
| 2. | Parties to Documents: | New Urban Avonlea, LLC, Grantor
Martin County, Grantee |
| 3. | Purpose: | Dedication of required 25' Non-Exclusive Flow-Through Drainage and Access Easement, as a condition of approval of the Right of Way Use Permit |
| 4. | New/Renewal/Modified: | New |
| 5. | Duration: | Perpetual |
| 6. | Benefits to Martin County: | Additional easement for drainage, access and maintenance for Haney Creek |

7. Cost to Martin County: None

As a condition of approval of the Right of Way Use Permit ENG2020090013, the Applicant is required to convey a 25' Non-Exclusive Flow-Through Drainage and Access Easement along NW Green River Parkway for Haney Creek.

The Applicant has provided the required due diligence materials and the Real Property Division has confirmed ownership of the property to be conveyed.

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 of 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 25' Non-Exclusive Flow-Through Drainage and Access Easement from New Urban Avonlea, LLC, a Florida limited liability company.
- Move that the Board authorize the Chair to execute any and all documents necessary to complete the transactions.

ALTERNATIVE RECOMMENDATIONS

Pull this item and provide staff with alternative direction.

FISCAL IMPACT:

RECOMMENDATION

None

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 |

☐ Other:

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