



Board of County Commissioners

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

File ID: 22-0983

CNST-6

Meeting Date: 8/9/2022

PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A UTILITY EASEMENT, WITHIN THE LEGACY COVE DEVELOPMENT, FROM COVE ISLE COMMUNITY ASSOCIATION, INC. FOR SEWER SERVICES AND UTILITY RELATED EQUIPMENT

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Cove Isle Community Association, Inc., a Florida not-for-profit corporation, to provide sewer service for adjacent properties to the west of the Legacy Cove development. The easement area is located west of SE Ault Avenue, between SE Salerno Road and SE Cove Road.

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: | Cove Isle Community Association, Inc., Grantor
Martin County, Grantee |
| 3. Purpose of the Easement: | To allow for sewer services and related utility equipment to service properties west of Legacy Cove. |
| 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 Cove Isle Community Association, Inc., a Florida not-for-profit corporation. The Easement Premises is not encumbered by a mortgage.

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 Resolution accepting and approving the Utility Easement from Cove Isle Community Association, Inc., a Florida not-for-profit corporation, and authorize the Chairman or designee to execute any and all documents associated with this transaction.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the 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 checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Other: | | |

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