



Board of County Commissioners

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

File ID: 22-1018

CNST-8

Meeting Date: 8/16/2022

PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A 10' WIDE UTILITY EASEMENT FROM KEVIN GANLEY AND SHERI GANLEY, FOR INSTALLATION AND MAINTENANCE OF UTILITIES, ALONG SW PINE TREE LANE IN PALM CITY

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a 10' wide Utility Easement from Kevin Ganley and Sheri Ganley for installation and maintenance of utilities along SW Pine Tree Lane in Palm City.

DEPARTMENT: Public Works

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

REQUESTED BY: Samuel Amerson, Utilities and Solid Waste Director

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Utility Easement Prepared By: Martin County
2. Parties to the Easement: Kevin Ganley and Sheri Ganley, Grantor
Martin County, Grantee
3. Purpose of the Easement: To allow for installation and maintenance of utilities
4. New/Renewal/Modified: New
5. Duration: Perpetual
6. Benefits to Martin County: Addition of 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 Kevin Ganley and

Sheri Ganley. The easement premises is encumbered by a Mortgage held by Caliber Home Loans, Inc., successor in interest to Harbor Community Bank, dated October 11, 2012 and recorded in Official Records Book 2607, Page 903, for which a Consent of Mortgagee has not been signed. Staff has exhausted all efforts with no response from the Mortgagee.

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 Kevin Ganley and Sheri Ganley and authorize the Chairman 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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