



Board of County Commissioners

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

File ID: 22-1030

CNST-9

Meeting Date: 8/9/2022

PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A 15' WIDE UTILITY EASEMENT FROM JOSEPH A. PISANO AND SANDRA L. PISANO FOR THE CAPE LIVE OAK WATER AND SEWER EXTENSION PROJECT IN STUART

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution accepting and approving a 15' wide Utility Easement on the north west portion of Lot 6 from Joseph A. Pisano and Sandra L. Pisano, individually and as Co-Trustees under the Pisano Living Trust dated September 7, 2016 (Pisano) for the Cape Live Oak water and sewer extension project in Stuart.

DEPARTMENT: Public Works

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

REQUESTED BY: Sam Amerson, Utilities and Solid Waste Department

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Utility Easement Prepared By: Martin County
2. Parties to the Easement: Pisano, Grantor
Martin County, Grantee
3. Purpose of the Easement: For the Cape Live Oak water and sewer extension project
4. New/Renewal/Modified: New
5. Duration: Perpetual
6. Benefits to Martin County: Addition of new easement into the County network
7. Cost to Martin County: Title work and recording fees to be paid by USD

The Real Property Division has confirmed ownership of the easement premises, and there are no mortgages encumbering the Easement Premises except for that certain Mortgage in favor of Wells Fargo Bank, N.A., a California corporation, dated July 10, 2003 and recorded July 15, 2003 in OR BK 1788, PG 2803, and assigned by Assignment of Mortgage dated August 4, 2003 and recorded September 11, 2003 in OR BK 1814, PG 2702, for which a Consent of Lien Holder has been obtained and is attached (please note that this Mortgage has since been satisfied).

Sec. 139.31 and 139.32, General Ordinances, Martin County Code requires 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 Joseph A. Pisano and Sandra L. Pisano 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

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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