



# Board of County Commissioners

2401 SE Monterey Road  
Stuart, Florida 34996

## Agenda Item Summary

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**File ID:** 22-1148

**CNST-14**

**Meeting Date:** 8/16/2022

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**PLACEMENT:** Consent

**TITLE:**

**ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A DRAINAGE, ACCESS, AND MAINTENANCE EASEMENT FROM MCARTHUR GOLF CLUB, L.L.C., TO SUPPORT THE FACILITIES BEING CONSTRUCTED WITH THE OPENING OF SE CYPRESS AVENUE IN POINCIANA GARDENS**

**EXECUTIVE SUMMARY:**

This is a request for the adoption of a resolution accepting and approving a Drainage, Access, and Maintenance Easement from McArthur Golf Club, L.L.C., to provide the County access to maintain the stormwater management facilities being constructed to support the opening of SE Cypress Avenue in Poinciana Gardens.

**DEPARTMENT:** Public Works

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

**REQUESTED BY:** Lisa A. Wichser, P.E., CFM

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

1. Documents Prepared by: Martin County Real Property Division
2. Parties to Documents: McArthur Golf Club, L.L.C., Grantor  
Martin County, Grantee
3. Purpose: To provide Martin County access to maintain the stormwater management facilities being constructed to support the opening of SE Cypress Avenue in Poinciana Gardens
4. New/Renewal/Modified: New
5. Duration: Perpetual
6. Benefits to Martin County: The County will have a

legal access to maintain the facilities being constructed by McArthur Golf Club

7. Cost to Martin County: None

In association with its application for the Revised Final Site Plan for the McArthur West Golf Club, McArthur Golf Club, L.L.C., a Delaware corporation, is proposing to construct SE Cypress Avenue in existing unopened right-of-way that was dedicated to the public in the plat of Poinciana Gardens Sections 3 & 4, as recorded in Plat Book 2, Page 105 of the public records of Martin County, Florida. SE Cypress Avenue will provide access to a new maintenance facility for the McArthur West Golf Club. The stormwater runoff from the new road will be provided in and through facilities on the McArthur West Golf Club; therefore, McArthur Golf Club, L.L.C. is providing an easement to Martin County so that the County may access the facilities for perpetual maintenance.

McArthur Golf Club, L.L.C. has provided the required due diligence materials and the Real Property Division has confirmed ownership of the property to be conveyed. There are no encumbrances or mortgages on the property

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 Easement from McArthur Golf Club, L.L.C., a Delaware corporation.
- Move that the Board authorize the Chairman to execute all documents necessary to complete the transaction.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from the Consent Agenda and provide staff with alternative direction.

**FISCAL IMPACT:**

**RECOMMENDATION**

None

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- ☐ Budget Transfer / Amendment   ☐ Chair Letter   ☐ Contract / Agreement  
☐ Grant / Application   ☐ Notice   ☐ Ordinance   ☒ Resolution  
☐ Other:

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