



Agenda Item Summary

File ID: 23-0804

CNST-8

Meeting Date: 6/6/2023

PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING TWO SEPARATE DRAINAGE EASEMENTS FOR THE CORAL GARDENS NEIGHBORHOOD RESTORATION PROJECT IN STUART

EXECUTIVE SUMMARY:

This is a request for the adoption of a Resolution approving and accepting two (2) five-foot (5') Drainage Easement, one from Patrick O'Leary, an unmarried man and the other from John M. Vennari, an unmarried man, as part of the Coral Gardens Neighborhood Restoration Project for restoration of the drainage infrastructure within the Coral Gardens subdivision.

DEPARTMENT: Public Works

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

REQUESTED BY: Christopher Goetzfried, Capital Projects Administrator

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

Drainage Easements Prepared By:
Martin County

Parties to Easement 1:
Patrick O'Leary - Grantor
Martin County - Grantee

Parties to Easement 2:
John M. Vennari, Grantor
Martin County - Grantee

Purpose of the Easements:
Restoration of neighborhood drainage infrastructure within the Coral Gardens Subdivision

New/Renewal/Modified:
New

Duration:
Perpetual

Benefits to Martin County:
Addition of a new easements to the County drainage network

Cost to Martin County:
Title work and recording fees - CIP Project #101742

The Real Property Division has confirmed ownership of the two easements premises, one in the name of Patrick O'Leary and the other John M. Vennari.

The easement premises for Patrick O'Leary are encumbered by a certain mortgage in favor of Mortgage Electronic Registration Systems, Inc. (MERS) as Mortgage nominee for First Federal Bank, whose address is 4705 US Highway 90 West, Lake City, Florida 32055, dated January 10, 2022, and recorded January 14, 2022, in Official Records Book 3286, Page 417, in Martin County, Florida, Public Records, said Mortgagee has executed a Consent of Mortgagee which is attached to the Easement.

There are no mortgages encumbering the easement premises for John M. Vennari.

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 a Resolution approving and accepting the two 5' Drainage Easement, from Patrick O'Leary, an unmarried man, and John M. Vennari, an unmarried man, to Martin County 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

Costs paid through CIP #101742

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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