Agenda Item #: 3H-13

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	October 5, 2010	[X] Consent [] Ordinance	[] Regular [] Public Hearing		
Department:	Facilities Development & Operations				

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to accept: a Special Warranty Deed from Dizengoff – Courtney Park, LLC, (Dizengoff), conveying a .73 acre lake tract parcel located in the southwest corner of Lantana Road and Haverhill Road in unincorporated Lake Worth.

Summary: The lake tract parcel was dedicated to the County on February 15, 2000, per the plat of Winston Trails Parcel 19, in Plat Book 87, Page 95 (Water Management Tract Lake-1). In 2005, Courtney Park Limited Partnership included the lake tract in a deed to Marcliff Courtney Development, LLC. To rectify this error, the current owner (Dizengoff) wants to deed this lake tract to the County. The County Attorney's Office has recommended that the County accept this Special Warranty Deed to clear record title in the County. (PREM) <u>District 6</u> (HJF)

Background and Justification: Palm Beach County acquired the .73 acre Water Management Tract Lake-1 on February 15, 2000, via plat of Winston Trails Parcel Nineteen recorded in Plat Book 87, Page 95. This Lake Tract is the east shore line of the County's Buttonwood Park Retention Pond. The original developer was Courtney Park Limited Partnership. In October of 2005, Courtney Park Limited Partnership conveyed Tracts B, C and Water Management Tract Lake-1 of Winston Trails Parcel Nineteen, to Marcliff Courtney Development, LLC. Marcliff subsequently converted the apartment community developed on Tracts B and C to condominiums and offered same for sale to the public. Marcliff was eventually foreclosed by its lender, Bank of America, and Dizengoff acquired the inventory of unsold condominium units, along with Water Management Tract Lake-1, from Bank of America. Since this is a re-conveyance to the County, no Disclosure of Beneficial Interests is required.

Attachments:

- 1. Location Map
- 2. Special Warranty Deed

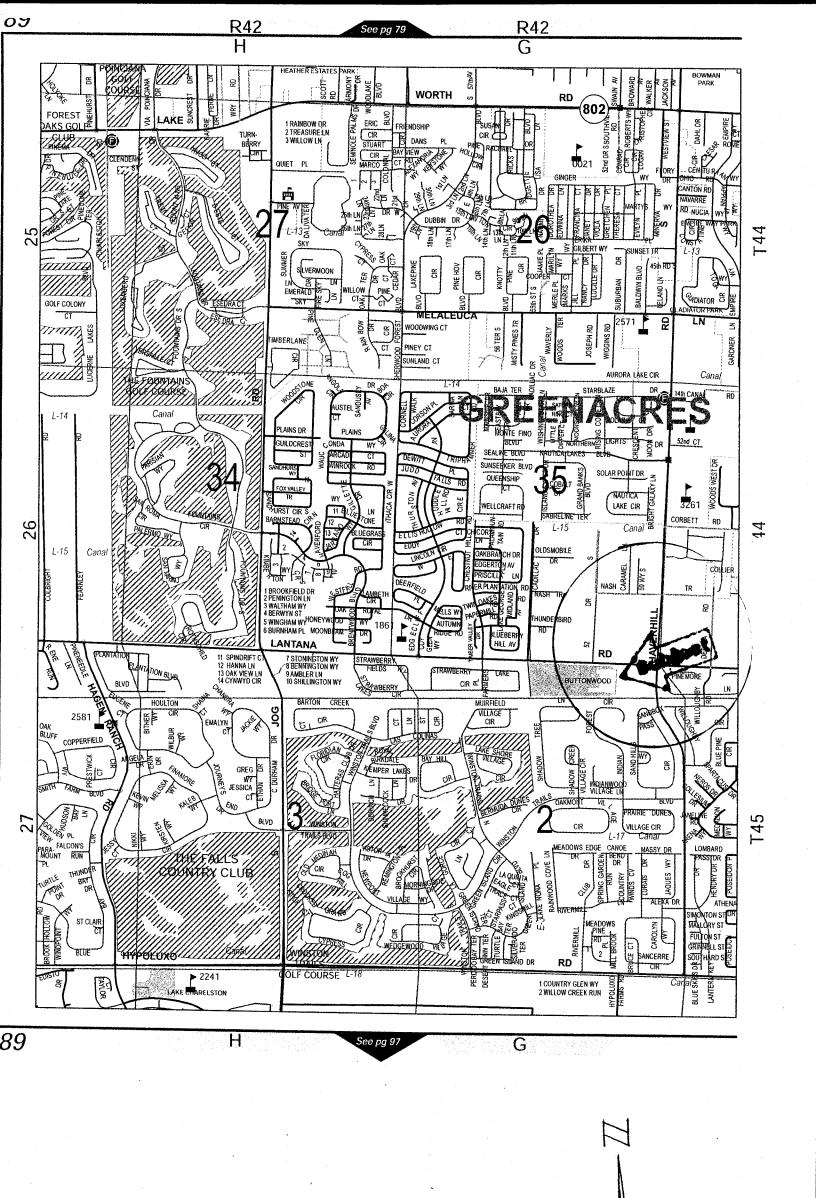
Recommended By:	Anny Wix	9/8/10	
•	Department Director	Date	
Approved By:	men	9/21/10	
	County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Fr	ve Year Summary of	Fiscal Impact:				
Fiscal Ye	ears	2010	2011	2012	2013	2014
Operation External Program	Expenditures Ig Costs Revenues Income (County) Match (County					
NET FIS	SCAL IMPACT	0-	* See be	00		-
	TIONAL FTE ONS (Cumulative)					
Is Item I	ncluded in Current B	udget: Yes		No <u>X</u>		
Budget A	account No: Fund	Program		Unit	Object	<u></u>
3	ecommended Sources No Fiscal Impact. epartmental Fiscal Re		·	•		
			CW COMM			
A. O]	FMB Fiscal and/or Co	ontract Develop	ment Comn	ients:		
As	egal Sufficiency: Sistant County Attorned by Grane of CAO review	rants- at	Contract De DY Y Yw 1	Seed Co	Control of our of	elview Lipocifed
	ther Department Revi					
De	epartment Director					

This summary is not to be used as a basis for payment.

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LOCATION MAP

ATTACHMENT # /

PREPARED BY AND RETURN TO:
ROSS C. HERING, DIRECTOR
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: <u>00-42-44-38-05-012-0000</u>		
Closing Date:		
Purchase Price:	\$0	

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, executed as of the	day of
, 2010 by DIZENGOFF-COURTNEY PARK, LLC, a Flo	orida limited liability
company, (Grantor) whose mailing address is 2255 Glades Road, Suite 319A	, Boca Raton, Florida
33431, to PALM BEACH COUNTY, a political subdivision of the State	of Florida, (Grantee)
whose legal mailing address is 301 North Olive Avenue, West Palm Beach,	Florida, 33401-4791.

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold to Grantee, the following described land lying and being in Palm Beach County, Florida:

Water Management Tract **LK-1, WINSTON TRAILS PARCEL NINETEEN**, according to the plat thereof recorded in Plat Book 87, Pages 95 through 97, of the public records of Palm Beach County, Florida.

And the Grantor hereby covenants with said Grantee that it is lawfully seized of the Property in fee simply; that it has good right and lawful authority to sell and convey the Property; that it hereby fully warrants the title to the Property and will defend the same against the lawful claims of all person claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Grantor:

DIZENGOFF-COURTNEY PARK, LLC,
a Florida limited liability company

witness	a Florida limited liability company
Print Name of Witness	By:
Witness	Print Name
Print Name of Witness	Print Title
Time realite of witness	
STATE OF FLORIDA	
COUNTY OF PALM BEACH	
	owledged before me this day of
2010 by	, as Manager of DIZENGOFF d liability company, on behalf of the company, who i
personally known to me or produced	d liability company, on behalf of the company, who i as identification
(Official Notary Seal)	Notary Public, State of Florida
	Print name:
	My Commission Expires:
	Commission Number:
Approved by the Palm Beach County	
Board of County Commissioners	
on	
County Attorney or Designee	

 $G: Katrina \\ Ross\ File \\ Winston\ Trails-Buttonwood\ Park-Deed \\ Special\ Warranty\ Deed_Dizengoff_Courtney\ Park\ LLC.HF\ app.090310.docx$