

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

**Meeting Date:** December 21, 2010      ☒ Consent      ☐ Regular  
    ☐ Ordinance      ☐ Public Hearing

## Department

**Submitted By:** Environmental Resources Management

**Submitted For:** Environmental Resources Management

## I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: the purchase of three (3) lots (5.0 total acres) in the Palm Beach Heights subdivision from Martin County using the Natural Area Fund. The cost of purchasing the property is \$1,849 (land cost), plus an estimated \$100 for recording and miscellaneous fees/costs, for a total of \$1,949.

**Summary:** The Palm Beach Heights subdivision is north of Indiantown Road and northeast of the Bee Line Highway and includes lots in both Palm Beach and Martin Counties. Pursuant to the County's White Paper dated July 18, 2005, all 432 lots within the Palm Beach County portion of the subdivision are considered unbuildable. The lots that are the subject of this item were purchased by Martin County in late 2002 and mid 2003 as part of a large conservation land acquisition project. Martin County would like to sell the subject lots to the County rather than try to manage 5 acres of environmentally-sensitive lands in Palm Beach County. The proposed purchase price is equal to what Martin County paid for the lots. A pre-acquisition environmental assessment will be performed by the Department of Environmental Resources Management (ERM). District 1 (SF)

**Background and Justification:** Lands in the Pal-Mar ecosite have been on the County's proposed acquisition list since the Environmentally Sensitive Lands Bond Referendum was passed in 1991. They were also included in the Land Acquisition for Conservation Purposes Bond Referendum passed in March 1999. The Palm Beach Heights subdivision which contains 432 lots ranging in size from 1 to 16.55 acres is part of the Pal-Mar ecosite. Palm Beach County currently owns 223.63 acres in Palm Beach Heights including 78.43 acres which were acquired from the South Florida Water Management District in 2007 (R 2004-1741) and 145.20 acres which escheated to the County when the former owners stopped paying their property taxes. The proposed transaction was approved by the Martin County Board of County Commissioners on October 5, 2010 (Resolution No. 10-10.3, Martin County). Due to the remote location and low price of the lots, neither a boundary survey nor a title policy will be obtained for these parcels; the cost for the boundary survey and title policy would exceed the value of the land.

Based on aerial photographs most of the subject lots would be classified as wetlands. The three lots are adjacent to lots already owned by the County and will be managed by ERM in conjunction with the 118 lots currently owned by the County. Funds for the purchase price and recording and miscellaneous fees/costs will be drawn from the Natural Areas Fund.

**Attachments:**

1. Martin County Resolution No. 10-10.3
2. Copy of deed signed by Martin County
3. Location Map

**Recommended by:**

Department Director

Date \_\_\_\_\_

**Approved by:**

**County Administrator**

**Date**

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	\$1,949	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	\$1,949	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No X  
Budget Account No.: Fund 1226 Department 380 Unit 3162 Object 6101

Program E205

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

Funds for the acquisition of the subject properties are available from the Natural Areas Fund (1226).

C. Department Fiscal Review: \_\_\_\_\_ *JP*

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Administrator Comments:

*[Signature]* 11/30/2010 *[Signature]* 12/11/10  
OFMB *JB* Contract Administrator  
*11/30* *12/11/10*

### B. Legal Sufficiency:

*[Signature]*  
Assistant County Attorney

### C. Other Department Review: Property & Real Estate Management

\_\_\_\_\_  
Department Director

Attachment 1



INSTR # 2244425 OR BK 02487 PG 1038 RECD 11/19/2010 10:48:20 AM  
Ps 1038; (1pg)  
MARSHA EWING MARTIN COUNTY DEPUTY CLERK T COPUS

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

RESOLUTION NO. 10-10.3

WHEREAS, the County of Palm Beach, a political subdivision of the State of Florida, has made application to Martin in accordance with Section 125.38 Florida Statutes, to acquire Parcels TT-191, TT-192 and UU-44, Palm Beach Heights from Martin County upon payment to Martin County of \$1,849.

NOW, THEREFORE, BE IT RESOLVED BY THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS, THAT:

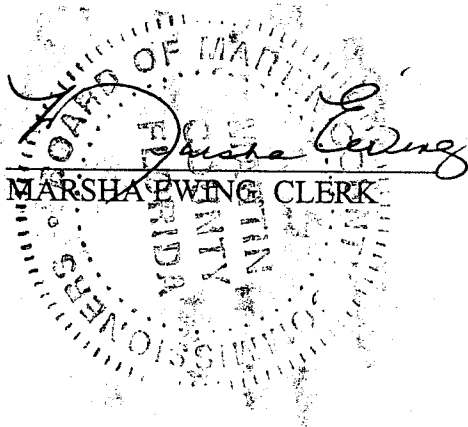
The Martin County Board of County Commissioners hereby finds that:

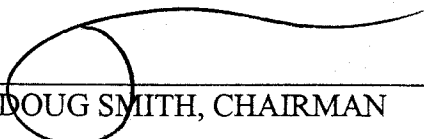
1. The County of Palm Beach as a political subdivision of the State of Florida has made application to acquire Parcels TT-191, TT-192 and UU-44, Palm Beach Heights from Martin County upon payment to Martin County of \$1,849.
2. Said Parcels TT-191, TT-192 and UU-44, Palm Beach Heights are located within Palm Beach County and are required for use by the County of Palm Beach and are not needed for Martin County purposes.

DULY PASSED AND ADOPTED THIS 5th DAY OF OCTOBER, 2010.

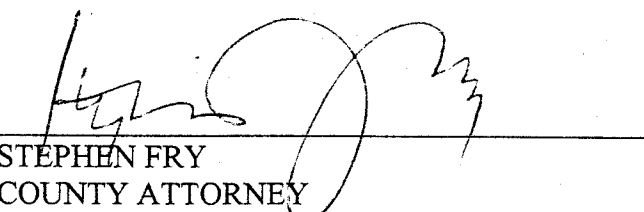
ATTEST:

MARTIN COUNTY BOARD OF COUNTY  
COMMISSIONERS:



  
DOUG SMITH, CHAIRMAN

APPROVED AS TO FORM AND  
CORRECTNESS:

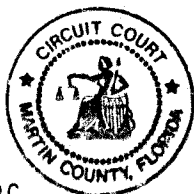
  
STEPHEN FRY  
COUNTY ATTORNEY

STATE OF FLORIDA  
MARTIN COUNTY

THIS IS TO CERTIFY THAT THE  
FORGOING 1 PAGES IS A TRUE  
AND CORRECT COPY OF THE ORIGINAL

MARSHA EWING, CLERK

BY: T. COPUS D.C.  
DATE: 11/19/10



3

Attachment 2

This instrument prepared by:  
Martin County Property Management Division  
2401 SE Monterey Road  
Stuart, Florida 34996

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**COUNTY DEED**

THIS DEED, this 5<sup>th</sup> day of October, 2010, by MARTIN COUNTY, a political subdivision of the State of Florida, 2401 SE Monterey Road, Stuart, Florida 34996, party of the first part, and PALM BEACH COUNTY, a political subdivision of the State of Florida, party of the second part, whose mailing address is \_\_\_\_\_.

WITNESSETH that the said party of the first part, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold to the party of the second part, his heirs and assigns forever, the following described land lying and being in Martin County, Florida:

SEE ATTACHED EXHIBIT "A"

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

  
MARSHA EWING, CLERK

  
DOUG SMITH, CHAIRMAN

APPROVED AS TO FORM AND  
CORRECTNESS:

  
STEPHEN FRY, COUNTY ATTORNEY

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EXHIBIT "A"

Parcel TT-191, PALM BEACH HEIGHTS, an Unrecorded Subdivision, lying in Section 32, Township 40 South, Range 40 East, Palm Beach County, Florida.

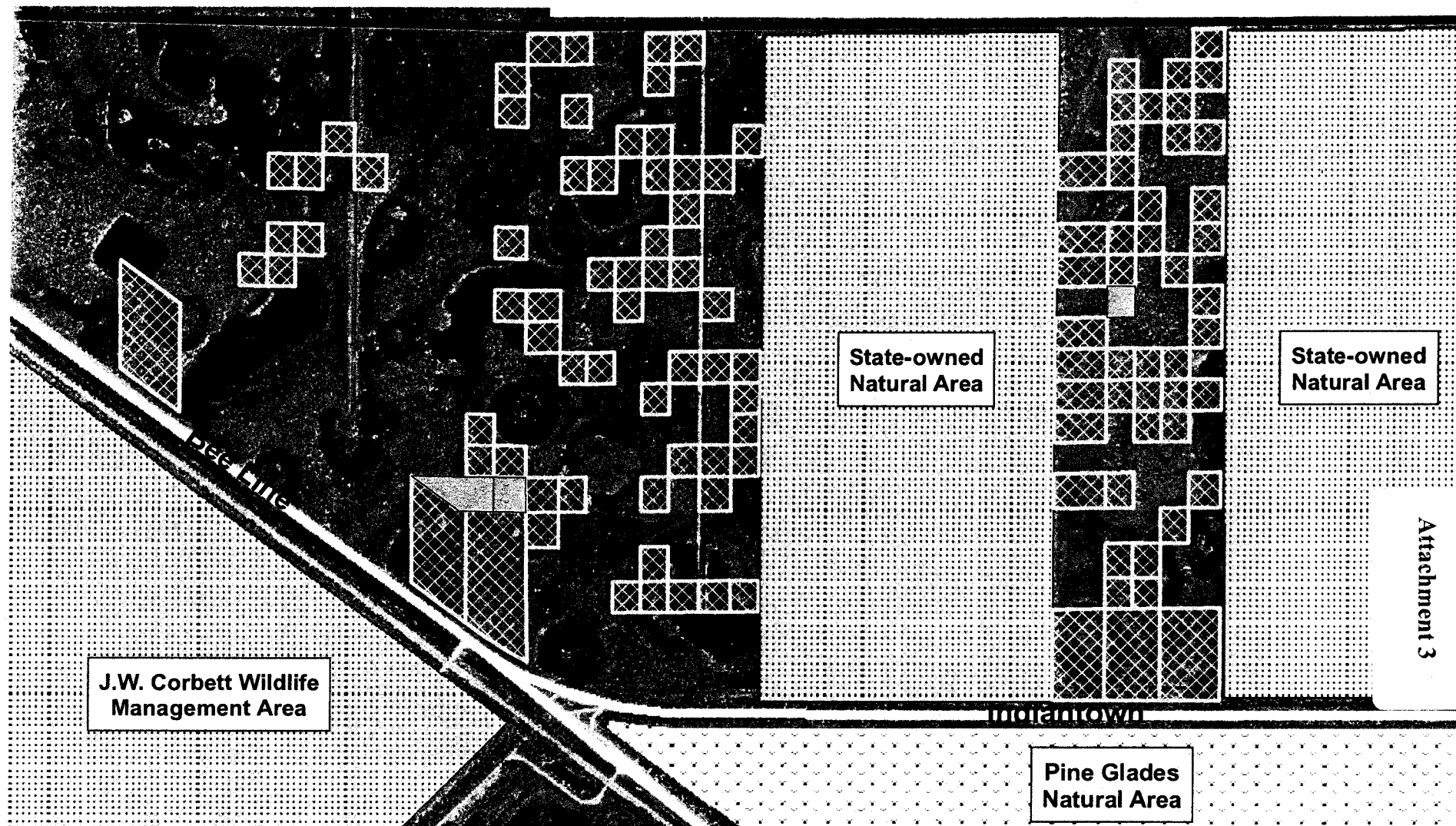
Being the same parcel as conveyed to the Grantor by Deed recorded in Official Records Book 14635, at Page 949 of the Public Records of Palm Beach County.

Parcel TT-192, PALM BEACH HEIGHTS, an Unrecorded Subdivision, lying in Section 32, Township 40 South, Range 40 East, Palm Beach County, Florida.







Being the same parcel as conveyed to the Grantor by Deed recorded in Official Records Book 14635, at Page 947 of the Public Records of Palm Beach County.

Parcel UU-44, PALM BEACH HEIGHTS, an Unrecorded Subdivision, lying in Section 33, Township 40 South, Range 40 East, Palm Beach County, Florida.

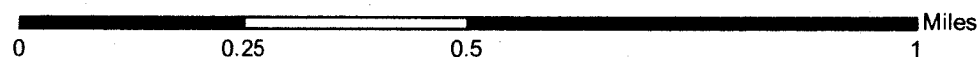
Being the same parcel as conveyed to the Grantor by Deed recorded in Official Records Book 16074, at Page 697 of the Public Records of Palm Beach County.




## Legend

-  Martin County Parcels
-  PBC\_boundary1
-  Palm Beach County Owned
-  Natural Area Boundary
-  Major Roads
-  Publicly-Owned Lands

## Location Map



N  
  
 Palm Beach County  
 Department of Environmental  
 Resources Management



August 24, 2010;slm