

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

Meeting Date: **October 6, 2015** **Consent** **Regular**
 Ordinance **Public Hearing**

Department: **Facilities Development & Operations**

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County’s interest in three (3) parcels of surplus property to the City of West Palm Beach without charge pursuant to Florida Statutes Section 197.592(3), and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and

B) approve three (3) County Deeds in favor of the City of West Palm Beach.

Summary: In 2014, the County acquired three (3) tax deed parcels via escheatment that are located within the municipal boundaries of the City of West Palm Beach. The parcels serve no present or future County purpose. The parcels are being conveyed to the City pursuant to Florida Statutes Section 197.592(3), which requires the conveyance of surplus property acquired by tax deed to the municipality in which it is located. This conveyance will relieve the County of potential liability for occurrences on the property and also the cost of maintenance. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. **This conveyance must be approved by a Supermajority Vote (5 Commissioners). (PREM) District 7 (HJF)**

Background and Justification: The 17th Street and 19th Street parcels escheated to the County in August 2014, and the 22nd Street parcel escheated to the County in December 2014. The 17th Street parcel (\$26,520 assessed value) contains a home that is uninhabitable and secured, the 19th Street parcel (\$9,900 assessed value) is vacant and the 22nd Street parcel (\$35,730 assessed value) contains a home that is uninhabitable but not secured. The County requested concurrence from the City to accept the parcels but was unsuccessful. PREM, in response to direction from the Real Estate Assets Task Force, has developed a program to convey to the municipalities in which they are located surplus County property which provides little opportunity to further a County function. Staff feels strongly that the most cost effective method to dispose of this property is to convey it at no cost to the City, as the municipality is in a better position to determine how this property should be used and maintained. This conveyance will relieve the County of potential liability for occurrences on the property and also the cost of maintenance. An appraisal valued the 17th Street parcel at \$15,000 and the 22nd Street parcel at \$13,000. An appraisal of the 19th Street parcel is not required as the assessed value is less than \$25,000. A Disclosure of Beneficial Interests is not required since this transaction is between the County and another governmental agency.

Attachments:

- 1. Location Map
- 2. Resolution
- 3. County Deeds (3)
- 4. Disposition Summary

Recommended By: *Reeta Arany Waf* *9/5/15*
 Department Director **Date**

Approved By: *W Baker* *9-28-15*
 County Administrator **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	<u>(1,710)</u>	<u>(1,710)</u>	<u>(1,710)</u>	<u>(1,710)</u>	<u>(1,710)</u>
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	*<u>(\$1,710)</u>	<u>(\$1,710)</u>	<u>(\$1,710)</u>	<u>(\$1,710)</u>	<u>(\$1,710)</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes No

Budget Account No: Fund 0001 Dept 410 Unit 4240 Object 3410
 Program _____

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

*Disposition of these parcels will eliminate the County's ongoing maintenance cost estimated at \$1,710/year.

Fixed Assets Numbers: #H07760 (17th Street), #H07759 (19th Street), #H07815 (22nd Street).

L. DiVeno, FAMO, OFMB 9/11/15 *9-8-15*

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Sherry Brown
 OFMB *5/10* *9/14* *9/16*

Dr. J. Jacobson *9/24/15*
 Contract Development and Control
Boheler 9-22-15

B. Legal Sufficiency:

H. J. [Signature] *9/25/15*
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

TWP 43

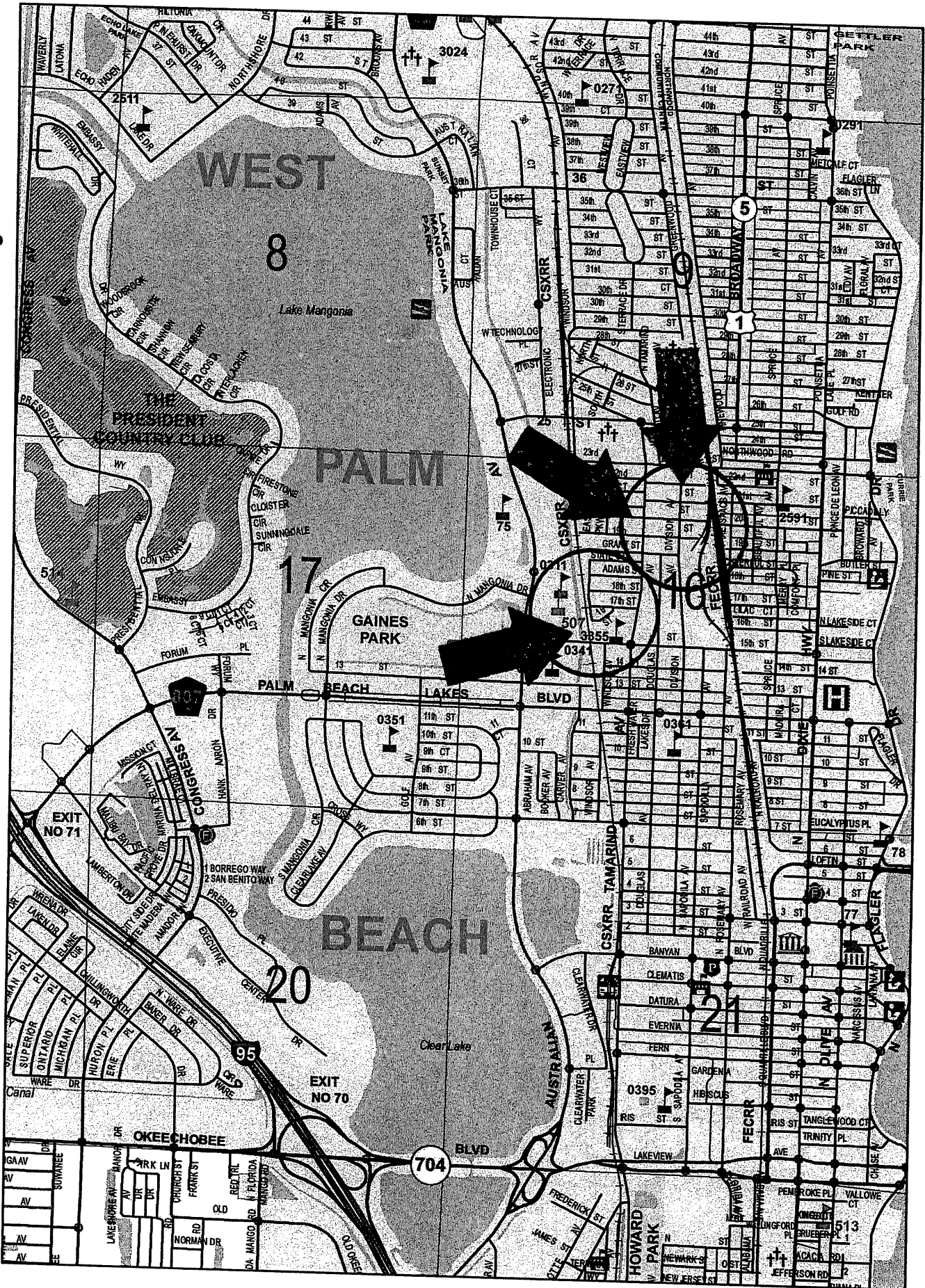
TWP 43

TWP 43

16

17

18



RNG 43

See pg 71

RNG 43

Page 59

LOCATION MAP

ATTACHMENT NO. 1

PAGE 1 OF 1

11

Handwritten signature or scribble.

ATTACHMENT NO. 2

(5 pages - including exhibits)

RESOLUTION NO. 20 _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE CITY OF WEST PALM BEACH PURSUANT TO FLORIDA STATUTE SECTION 197.592(3) WITHOUT CHARGE AND WITH MINERAL AND PETROLEUM RIGHTS RESERVATION WITHOUT RIGHTS OF ENTRY AND EXPLORATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the County owns three (3) properties within the municipal boundaries of the City of West Palm Beach which were acquired for delinquent taxes; and

WHEREAS, Florida Statutes Section 197.592(3) states that under certain conditions, the County is to convey to municipalities in which they are located, properties acquired by the County for delinquent taxes and that any liens of record held by the County on such properties shall not survive the conveyance to the municipalities; and

WHEREAS, the subject lands have not been previously sold, acquired for infill housing, or dedicated by the Board of County Commissioners, and shall not be conveyed to the record prior fee simple title owner; and

WHEREAS, the Board of County Commissioners of Palm Beach County shall convey such property reserving phosphate, mineral, metals and petroleum rights but releasing any and all rights of entry and exploration relating to such rights.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Recitals

The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Authorization to Convey Real Property

The Board of County Commissioners of Palm Beach County shall convey to the City of West Palm Beach without charge and by County Deeds, attached hereto and incorporated herein by reference, the real property legally described in such deeds. Any

liens of record held by the County on the subject lands shall not survive the conveyance to the City of West Palm Beach.

Section 3. Conflict with Federal or State Law or County Charter

Any statutory or Charter provisions in conflict with this Resolution shall prevail.

Section 4. Effective Date

The provisions of this Resolution shall be effective immediately upon adoption hereof.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The Motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

- Commissioner Shelley Vana, Mayor
- Commissioner Mary Lou Berger, Vice Mayor
- Commissioner Hal R. Valeche
- Commissioner Paulette Burdick
- Commissioner Steven L. Abrams
- Commissioner Melissa McKinlay
- Commissioner Priscilla A. Taylor

The Mayor thereupon declared the resolution duly passed and adopted this day of _____, 20_____.

PALM BEACH COUNTY, a political
subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: 
Assistant County Attorney

By: 
Department Director

PREPARED BY AND RETURN TO:
STEVEN K. SCHLAMP, PROPERTY SPECIALIST
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 74-43-43-16-08-000-1280
Closing Date: _____
Purchase Price: \$0

COUNTY DEED

This **COUNTY DEED**, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and the **CITY OF WEST PALM BEACH**, a municipality duly organized and existing by virtue of the laws of the State of Florida, whose legal mailing address is 401 Clematis Street, West Palm Beach, Florida 33401, "City".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by City, the receipt whereof is hereby acknowledged, has granted, bargained and sold to City, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

TAMARIND PARK, LOT 128.
THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER
TAX CERTIFICATE NUMBER 28258 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 26974, PAGE 1961,
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

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

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

By: _____
Shelley Vana, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Assistant County Attorney

(OFFICIAL SEAL)

PREPARED BY AND RETURN TO:
STEVEN K. SCHLAMP, PROPERTY SPECIALIST
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 74-43-43-16-07-000-0580
Closing Date: _____
Purchase Price: _____ \$0

COUNTY DEED

This COUNTY DEED, made _____, by PALM BEACH COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and the CITY OF WEST PALM BEACH, a municipality duly organized and existing by virtue of the laws of the State of Florida, whose legal mailing address is 401 Clematis Street, West Palm Beach, Florida 33401, "City".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by City, the receipt whereof is hereby acknowledged, has granted, bargained and sold to City, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

LINCOLN PARK, LOT 58.

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 28226 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 26974, PAGE 0490, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

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

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

PALM BEACH COUNTY, a political
subdivision of the State of Florida

By: _____
Deputy Clerk

By: _____
Shelley Vana, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

PREPARED BY AND RETURN TO:
STEVEN K. SCHLAMP, PROPERTY SPECIALIST
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 74-43-43-16-10-004-0031
Closing Date: _____
Purchase Price: _____ \$0

COUNTY DEED

This COUNTY DEED, made _____, by PALM BEACH COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and the CITY OF WEST PALM BEACH, a municipality duly organized and existing by virtue of the laws of the State of Florida, whose legal mailing address is 401 Clematis Street, West Palm Beach, Florida 33401, "City".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by City, the receipt whereof is hereby acknowledged, has granted, bargained and sold to City, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

WASHINGTON HEIGHTS, W 1/2 OF LOT 3 BLOCK 4.
THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER
TAX CERTIFICATE NUMBER 40051 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 27245, PAGE 0092,
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths (3/4) interest in, and title in and to an undivided three-fourths (3/4) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half (1/2) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

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

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

PALM BEACH COUNTY, a political
subdivision of the State of Florida

By: _____
Deputy Clerk

By: _____
Shelley Vana, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

ATTACHMENT NO. 3

(3 County Deeds - 1 pg each)

PREPARED BY AND RETURN TO:
STEVEN K. SCHLAMP, PROPERTY SPECIALIST
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 74-43-43-16-08-000-1280
Closing Date: _____
Purchase Price: _____ \$0

COUNTY DEED

This COUNTY DEED, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and the **CITY OF WEST PALM BEACH**, a municipality duly organized and existing by virtue of the laws of the State of Florida, whose legal mailing address is 401 Clematis Street, West Palm Beach, Florida 33401, "City".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by City, the receipt whereof is hereby acknowledged, has granted, bargained and sold to City, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

TAMARIND PARK, LOT 128.

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 28258 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 26974, PAGE 1961, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

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

ATTEST:

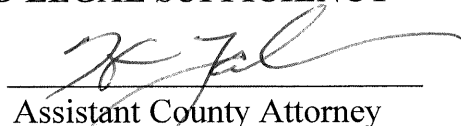
SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

PALM BEACH COUNTY, a political
subdivision of the State of Florida

By: _____
Shelley Vana, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

(OFFICIAL SEAL)

PREPARED BY AND RETURN TO:
STEVEN K. SCHLAMP, PROPERTY SPECIALIST
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 74-43-43-16-07-000-0580
Closing Date: _____
Purchase Price: \$0

COUNTY DEED

This COUNTY DEED, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and the **CITY OF WEST PALM BEACH**, a municipality duly organized and existing by virtue of the laws of the State of Florida, whose legal mailing address is 401 Clematis Street, West Palm Beach, Florida 33401, "City".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by City, the receipt whereof is hereby acknowledged, has granted, bargained and sold to City, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

LINCOLN PARK, LOT 58.
THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER
TAX CERTIFICATE NUMBER 28226 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 26974, PAGE 0490,
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

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

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

PALM BEACH COUNTY, a political
subdivision of the State of Florida

By: _____
Shelley Vana, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

(OFFICIAL SEAL)

PREPARED BY AND RETURN TO:
STEVEN K. SCHLAMP, PROPERTY SPECIALIST
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 74-43-43-16-10-004-0031
Closing Date: _____
Purchase Price: _____ \$0

COUNTY DEED

This COUNTY DEED, made _____, by PALM BEACH COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and the CITY OF WEST PALM BEACH, a municipality duly organized and existing by virtue of the laws of the State of Florida, whose legal mailing address is 401 Clematis Street, West Palm Beach, Florida 33401, "City".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by City, the receipt whereof is hereby acknowledged, has granted, bargained and sold to City, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

WASHINGTON HEIGHTS, W ½ OF LOT 3 BLOCK 4.
THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER
TAX CERTIFICATE NUMBER 40051 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 27245, PAGE 0092,
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths (¾) interest in, and title in and to an undivided three-fourths (¾) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half (½) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

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

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

PALM BEACH COUNTY, a political
subdivision of the State of Florida

By: _____
Shelley Vana, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

(OFFICIAL SEAL)

CITY OF WEST PALM BEACH

DISPOSITION SUMMARY

NO.	PCN	SUBDIVISION	STREET ADDRESS	ACRES	2014 ASSESSED VALUE	2015 APPRAISED VALUE PER PPM	BOOK/PAGE NUMBER	MONTH/YEAR RECORDED
1.	74-43-43-16-08-000-1280	Tamarind Park	1112 17 th Street	0.09	\$26,520	\$15,000	26974/1961	August/2014
2.	74-43-43-16-07-000-0580	Lincoln Park	1008 19 th Street	0.12	\$9,900	n/a	26974/0490	August/2014
3.	74-43-43-16-10-004-0031	Washington Heights	722 22 nd Street	0.07	\$35,730	\$13,000	27245/0092	December/2014
			TOTALS	0.28	\$72,150			

PAGE 1 OF 1
ATTACHMENT NO. 4