

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

| | | | |
|----------------------|-------------------------|--|--|
| Meeting Date: | December 1, 2015 | <input checked="" type="checkbox"/> Consent | <input type="checkbox"/> Regular |
| | | <input type="checkbox"/> Ordinance | <input type="checkbox"/> 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 four (4) parcels of surplus property to the City of Riviera 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 four (4) County Deeds in favor of the City of Riviera Beach.

Summary: The County recently acquired via tax deed escheatment four (4) parcels located within the municipal boundaries of the City of Riviera Beach with a collective assessed value of \$29,011. 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. 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 four (4) parcels total 0.53 acres and range in size from 0.11 acres to 0.16 acres. The total assessed value of the four (4) parcels is \$29,011 and the parcels vary in value from \$6,114 to \$8,930. All four (4) of the parcels are vacant. 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. The City's initial plan for the parcels is to inventory the properties for development for infill affordable workforce housing opportunities to influence a resurgence of its neighborhood housing services program. The County's Department of Economic Sustainability supports the conveyance to the City. Florida Statutes Section 197.592(3) authorizes the conveyance of surplus property acquired by tax deed to the municipality in which it is located. Pursuant to PPM CW-L-023, as all of the parcels are valued under \$25,000 appraisals are not required. Also, as none of the parcel values exceed \$250,000 approval of the Property Review Committee is not required. Further, as this is a transaction between the County and another governmental agency a Disclosure of Beneficial Interests is not required.

Attachments:

1. Location Map
2. Resolution
3. County Deeds (4)
4. Letter from the City of Rivera Beach dated September 8, 2015, requesting the 4 parcels

Recommended By: KCH Amary Wolf
Department Director

11/6/15
Date

Approved By: _____
County Administrator

11 /
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2016 | 2017 | 2018 | 2019 | 2020 |
|---|--------|-------|-------|-------|-------|
| Capital Expenditures | | | | | |
| Operating Costs | | | | | |
| External Revenues | | | | | |
| Program Income (County) | | | | | |
| In-Kind Match (County) | | | | | |
| NET FISCAL IMPACT | \$-0-* | \$-0- | \$-0- | \$-0- | \$-0- |
| # ADDITIONAL FTE POSITIONS (Cumulative) | | | | | |

Is Item Included in Current Budget: Yes No

Budget Account No: Fund Dept Unit Object
Program

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

* NO FISCAL IMPACT

Fixed Assets Numbers: H07835 (PCN 56-43-42-29-08-000-0100)
H07836 (PCN 56-43-42-29-08-000-0120)
H07829 (PCN 56-43-42-32-01-016-0260)
H07837 (PCN 56-43-42-33-06-021-0150)

h. p. Diener
FAMO, OFMB
11/9/15

11-9-15

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Sherry M
OFMB KP
11/12 11/12

John S. Jacobson
Contract Development and Control
BCD Wheeler 11-13-15

B. Legal Sufficiency:

Assistant County Attorney
11/16/15

C. Other Department Review:

Department Director

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



LOCATION MAP

Attachment 1

Attachment 2
(6 pages)

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE CITY OF RIVIERA 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 four (4) properties within the municipal boundaries of the City of Riviera 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, pursuant to Florida Statute Section 270.11, the City of Riviera Beach has requested that such property be conveyed without reservation of and release of the rights of entry and exploration relating to phosphate, mineral, metals petroleum rights; and

WHEREAS, the Board of County Commissioners of Palm Beach County has agreed to 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 Riviera 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 Riviera 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:

- District 1: Commissioner Hal R. Valeche
- District 2: Commissioner Paulette Burdick
- District 3: Commissioner Shelley Vana
- District 4: Commissioner Steven L. Abrams
- District 5: Commissioner Mary Lou Berger
- District 6: Commissioner Melissa McKinlay
- District 7: 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

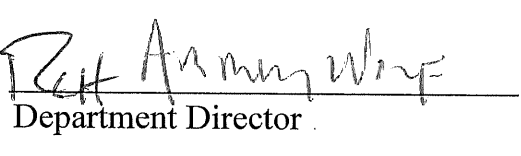
SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: 
Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: 
Department Director

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

PCN: 56-43-42-29-08-000-0100
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 CITY OF RIVIERA BEACH, a municipal corporation of the State of Florida, whose legal mailing address is 600 West Blue Heron Boulevard, Riviera Beach, Florida 33404, "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:

DAVIS SUB LT 10.
THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER
TAX CERTIFICATE NUMBER 32392 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 27493, PAGE 0902,
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

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

By: _____
Deputy Clerk

By: _____
, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

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

PCN: 56-43-42-29-08-000-0120

Closing Date: _____

Purchase Price: _____ \$0

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ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

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

PCN: 56-43-42-32-01-016-0260
Closing Date: _____
Purchase Price: _____ \$0

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INLET CITY LOTS 26 & 27, BLK 16.
THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER
TAX CERTIFICATE NUMBER 33081 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 27604, PAGE 1877,
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ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

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

PCN: 56-43-42-33-06-021-0150
Closing Date: _____
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ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

Attachment 3
(4 Deeds - 1 pg each)

PREPARED BY AND RETURN TO:
RICHARD C. BOGATIN, PROPERTY SPECIALIST
PALM BEACH COUNTY
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West Palm Beach, FL 33411-5605

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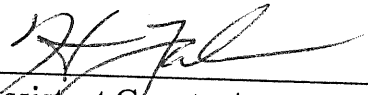
SHARON R. BOCK
CLERK & COMPTROLLER

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By: _____
Deputy Clerk

By: _____
, Mayor

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AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

(OFFICIAL SEAL)

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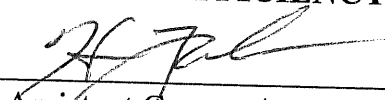
SHARON R. BOCK
CLERK & COMPTROLLER

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By: _____
Deputy Clerk

By: _____
, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: 
Assistant County Attorney

(OFFICIAL SEAL)

PREPARED BY AND RETURN TO:
RICHARD C. BOGATIN, PROPERTY SPECIALIST
PALM BEACH COUNTY
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West Palm Beach, FL 33411-5605

PCN: 56-43-42-32-01-016-0260

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ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

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

By: _____
, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: 
Assistant County Attorney

(OFFICIAL SEAL)

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

PCN: 56-43-42-33-06-021-0150

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SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

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

By: _____
, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: 
Assistant County Attorney

(OFFICIAL SEAL)

CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404
(561) 845-4010 FAX (561) 840-3353

OFFICE OF
CITY MANAGER

September 8, 2015



Ross C. Hering, Director of Property & Real Estate Management Division
Facilities Development & Operations Department
Palm Beach County Board of County Commissioners
2633 Vista Parkway
West Palm Beach, Florida 33411-5605

Re: Conveyance of County-Owned Tax Deed Parcels

Dear Mr. Hering:

I am writing in acknowledgement of Palm Beach County's desire to convey to the City of Riviera Beach, four (4) unimproved properties located within the municipal boundaries of the City. More specifically, these respective properties are:

1. PCN – 56-43-42-29-08-000-0100,
2. PCN – 56-43-42-29-08-000-0120,
3. PCN – 56-43-42-33-06-021-0150 and
4. PCN – 56-43-42-32-01-016-0260.

In response to your request, please accept this letter as approval of the County's conveyance of the above listed properties to the City. Further, during the 2015/2016 budget year, the City is resurging its Neighborhood Housing Services Program. As a part of this effort, the City intends to inventory these particular properties for the development of infill and workforce housing opportunities for its residents.

It is my understanding that upon receipt of the City's approval to accept ownership, that the County will handle the remaining activities needed to effectuate the transfers. In advance, thank you and should you have any questions or require additional information, please feel free to contact me at 561-845-4010.

Sincerely,


Danny D. Jones
Deputy City Manager

Attachment 4