

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

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<b>Meeting Date:</b> December 15, 2015	(X) Consent	( ) Regular
	( ) Workshop	( ) Public Hearing

**Department**  
**Submitted By:** Environmental Resources Management  
**Submitted For:** Environmental Resources Management

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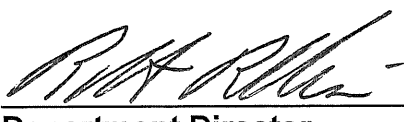
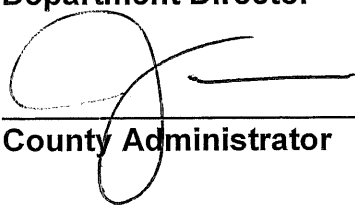
**I. EXECUTIVE BRIEF**

**Motion and Title:** **Staff recommends motion to accept:** a Statutory Warranty Deed for the donation of a parcel of vacant land containing approximately 1.3 acres, located north of Indiantown Road and northeast of the Bee Line Highway, from Lynn S. Hamilton, as Trustee of the Lynn S. Hamilton Trust Agreement dated June 16, 2003, Kenton J. Clymer and Marlee J. Clymer, as Trustees of the Kenton J. Clymer and Marlee J. Clymer Revocable Declaration of Trust dated April 18, 2006, and Scott R. Arrowsmith, provided that the County pays title insurance, closing and recording costs estimated to be less than \$500.

**Summary:** The subject parcel is located in an area known as Palm Beach Heights (part of the Pal-Mar ecosite). As is described in a White Paper prepared by the County in 2005 most of the lots in Palm Beach Heights, including the subject parcel, cannot meet the current land development regulations and therefore are not buildable. The parcel owners have offered to donate it to the County for environmental and passive recreational uses; the County will pay title insurance, closing and recording costs. A title policy will be obtained for the parcel and a pre-acquisition environmental assessment will be performed by ERM. A boundary survey will not be obtained due to the remote location and low value of the land. ERM will be responsible for the administration of the property. All costs related to the title insurance, closing and recording will be paid from the Natural Areas Fund, a non-ad valorem source of funds. This donation must be approved by a supermajority vote (5 Commissioners). District 1 (HF)

**Background and Justification:** Lands in the Pal-Mar ecosite were on the County's proposed acquisition list for both the Palm Beach County Environmentally Sensitive Lands Bond Referendum of March 12, 1991 and the Palm Beach County Lands for Conservation Purposes Bond Issue Referendum of March 9, 1999. The County currently owns 139 of the 434 lots in the Palm Beach County portion of the Palm Beach Heights subdivision. The subject parcel is bordered on three sides by County-owned parcels and contains high-quality depression marsh and mesic flatwoods habitats. Disclosures of Beneficial Interests have been provided and identify the beneficiaries as Lynn S. Hamilton (1/3 interest), Marlee J. Clymer and Kenton J. Clymer (1/3 interest), and Scott R. Arrowsmith (1/3 interest).

- Attachments:**
- 1. Location map
  - 2. Deed
- =====

<b>Recommended by:</b>		<u>11/9/15</u>
	<b>Department Director</b>	<b>Date</b>
<b>Approved by:</b>		<u>11/24/15</u>
	<b>County Administrator</b>	<b>Date</b>

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	\$500				
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	\$500				
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No         

Budget Account No.: Fund 1226 Department 380 Unit 3162 Object 6101  
Program E205

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

Funds for acquisition of the subject parcel will come from the Natural Areas Fund (1226). The cost of acquiring the parcel is expected to be less than \$500 which will cover title insurance, closing and recording costs/fees.

### C. Department Fiscal Review:

*S. Neary*

## III. REVIEW COMMENTS

### A. OFMB Fiscal and /or Contract Dev. and Control Comments:

*[Signature]* *[Signature]*  
OFMB *11/16* *11/16* *11/16* Contract Development and Control *11/23/15*  
*B. Wheeler 11-23-15*

### B. Legal Sufficiency:

*[Signature]* *11/24/15*  
Assistant County Attorney

### C. Other Department Review:

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



Attachment 1  
Location Map



**Legend**

- |   |  |
|---|--|
|  Donation Parcel         |  Publicly-owned Lands |
|  Palm Beach County-Owned |  Major Roads          |
|  County Natural Area     |  |



October 29, 2015;slm



## ATTACHMENT 2

PREPARED BY AND RETURN TO:  
Marcel Pessoa, Real Estate Specialist  
PALM BEACH COUNTY  
PROPERTY & REAL ESTATE MANAGEMENT DIVISION  
2633 VISTA PARKWAY  
WEST PALM BEACH, FLORIDA 33411-5605

PCN: 00-40-40-33-00-000-1350

Closing Date: \_\_\_\_\_

Purchase Price: Donation

### STATUTORY WARRANTY DEED

(Florida Statutes 689.02)

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2015,  
between **LYNN S. HAMILTON**, as Trustee of the Lynn S. Hamilton Trust Agreement dated June  
16, 2003, whose post office address is 1906 Mershon Drive, Ann Arbor, MI 48103-5939, **KENTON  
J. CLYMER and MARLEE J. CLYMER**, as Trustees of the Kenton J. Clymer and Marlee J.  
Clymer Revocable Declaration of Trust dated April 18, 2006, whose post office address is 2837  
Greenwood Acres Drive, DeKalb, IL 60115-4935, and **SCOTT R. ARROWSMITH**, whose post  
office address is 406 Dartmouth Place East, Peachtree City, GA 30269-3701 (collectively referred to  
as "Grantor") and **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and  
through its Board of County Commissioners, whose post office address is 2633 Vista Parkway, West  
Palm Beach, Florida 33411-5605 ("Grantee").

#### WITNESSETH:

THAT Grantor, for and in consideration of the sum of Ten and 00/100's (\$10.00) Dollars to it  
in hand paid by Grantee, and other good and valuable consideration, the receipt and sufficiency of  
which are hereby acknowledged, has granted, bargained, and sold to Grantee, its successors and  
assigns forever, all that certain land situate in Palm Beach County, State of Florida, to wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK).

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Grantor:  
  
LYNN S. HAMILTON, as Trustee  
of the Lynn S. Hamilton Trust Agreement  
dated June 16, 2003

\_\_\_\_\_  
Witness Signature  
  
\_\_\_\_\_  
Witness Name Printed  
  
\_\_\_\_\_  
Witness Signature  
  
\_\_\_\_\_  
Witness Name Printed

By: \_\_\_\_\_  
Lynn S. Hamilton, Trustee  
  
\_\_\_\_\_  
Date of Execution

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by Lynn S. Hamilton, as Trustee of the Lynn S. Hamilton Trust Agreement dated June 16, 2003, (    )who is personally known to me OR (    )who has produced \_\_\_\_\_ as identification and who (    )did (    )did not take an oath.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
  
\_\_\_\_\_  
Print Notary Name  
  
\_\_\_\_\_  
Commission Number  
My Commission Expires: \_\_\_\_\_

(Stamp/Seal)

Continued Signature on Next Page

Grantor:

KENTON J. CLYMER, as Trustee  
of the Kenton J. Clymer and Marlee J. Clymer  
Revocable Declaration of Trust dated April  
18, 2006

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name Printed

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name Printed

By: \_\_\_\_\_  
Kenton J. Clymer, Trustee

\_\_\_\_\_  
Date of Execution

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2015, by Kenton J. Clymer, as Trustee of the Kenton J. Clymer and Marlee J. Clymer Revocable  
Declaration of Trust dated April 18, 2006, (    )who is personally known to me OR (    )who has  
produced \_\_\_\_\_ as identification and who (    )did (    )  
)did not take an oath.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

\_\_\_\_\_  
Print Notary Name

\_\_\_\_\_  
Commission Number  
My Commission Expires: \_\_\_\_\_

(Stamp/Seal)

Continued Signature on Next Page

Grantor:

MARLEE J. CLYMER, as Trustee  
of the Kenton J. Clymer and Marlee J. Clymer  
Revocable Declaration of Trust dated April  
18, 2006

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name Printed

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name Printed

By: \_\_\_\_\_  
Marlee J. Clymer, Trustee

\_\_\_\_\_  
Date of Execution

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2015, Marlee J. Clymer, as Trustee of the Kenton J. Clymer and Marlee J. Clymer Revocable  
Declaration of Trust dated April 18, 2006, (    )who is personally known to me OR (    )who has  
produced \_\_\_\_\_ as identification and who (    )did  
(    )did not take an oath.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

\_\_\_\_\_  
Print Notary Name

\_\_\_\_\_  
Commission Number  
My Commission Expires: \_\_\_\_\_

(Stamp/Seal)

Continue Signature on Next Page



Grantor:

SCOTT R. ARROWSMITH

By: \_\_\_\_\_

\_\_\_\_\_  
Date of Execution

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name Printed

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name Printed

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by Scott R. Arrowsmith, (    )who is personally known to me OR (    )who has produced \_\_\_\_\_ as identification and who (    )did (    )did not take an oath.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

\_\_\_\_\_  
Print Notary Name

\_\_\_\_\_  
Commission Number  
My Commission Expires:\_\_\_\_\_

(Stamp/Seal)

Approved by the Palm Beach County  
Board of County Commissioners  
on \_\_\_\_\_

\_\_\_\_\_  
County Attorney or Designee

Exhibit "A"

A parcel of land lying in Section 33, Township 40 South, Range 40 East, Palm Beach County, Florida; Being the West 210 feet of the East 870 feet of the South 267.5 feet of the North 1,481.53 feet.