

AGENDA ITEM SUMMARY

Department: Facilities Development & Operations

Motion and Title: Staff recommends motion to:

B) approve a County Deed in favor of the City of Boynton Beach.

Background and Justification: The subject property located on NW 13th Avenue in Boynton Beach is buildable and is within the boundaries of the City of Boynton Beach. The property is of no current or future use to the County and Staff feels strongly that the most cost effective method to dispose of this surplus property is to convey it at no cost to the City as the municipality is in a better position to determine how the property should be used and maintained. This conveyance will relieve the County of potential liability for occurrences on the property. As this property is being conveyed to a governmental entity and the assessed value is less than \$250,000, approval by the Property Review Committee is not required. A Disclosure of Beneficial Interests is also not required.

1. Location Map
2. Resolution authorizing conveyance
3. County Deed
4. Letter from City Boynton Beach dated November 30, 2015

Approved By: _____
County Administrator

Date: 1/20/16

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# 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 Asset Number: 407922 *11/14/16*
10/31/15

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

10/14/16
OFMB *1/14* *1/14* *Barbara Wheeler 1-14-16*
Contract Development and Control

B. Legal Sufficiency:

[Signature] *1/19/16*
Assistant County Attorney

C. Other Department Review:

Department Director

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

TWP 45

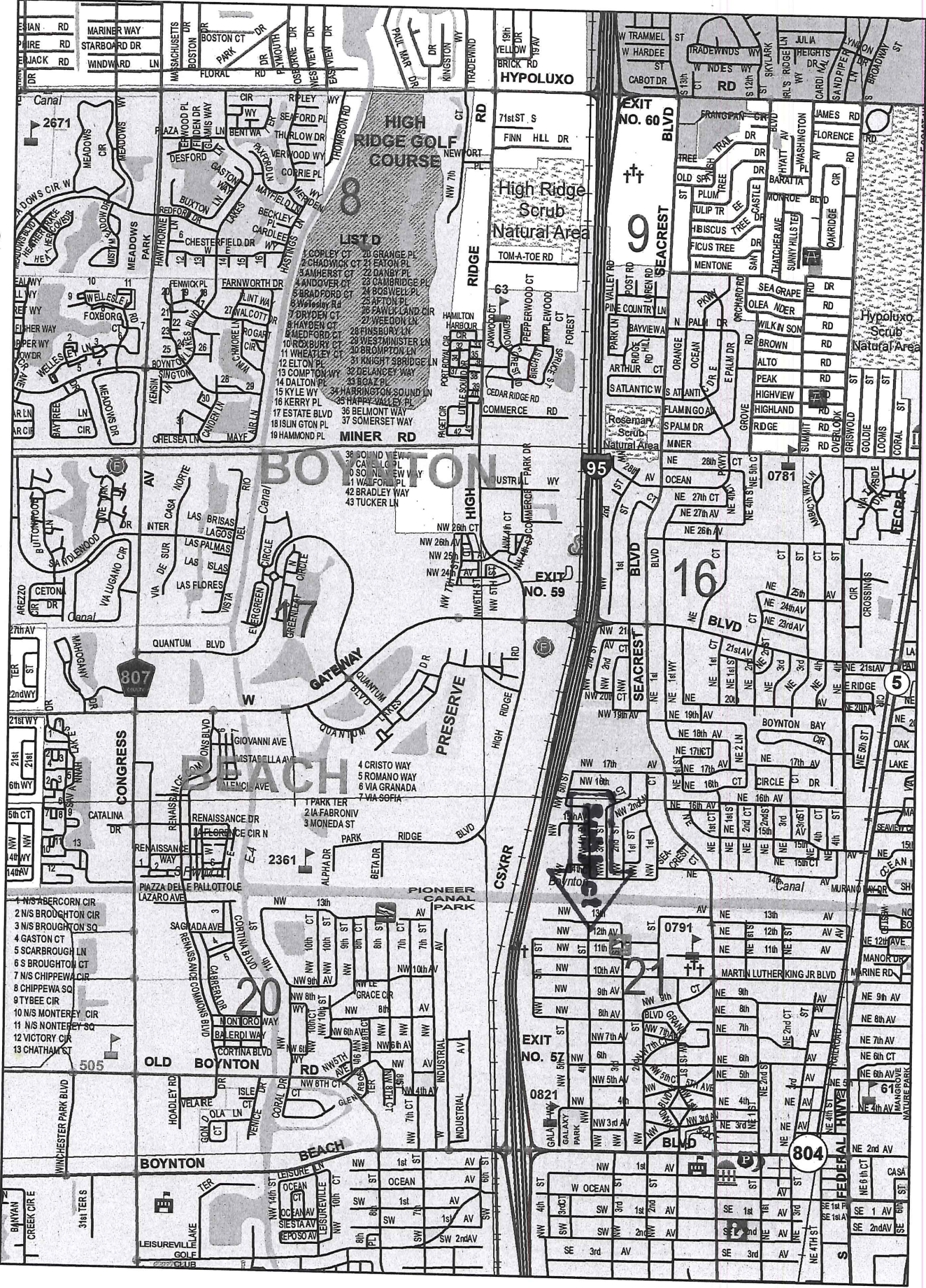
TWP 45

TWP 45

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RNG 43

See pg 105

RNG 43

ATTACHMENT NO. 2

3 PAGES

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 BOYNTON 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 one (1) parcel within the municipal boundaries of the City of Boynton Beach which was 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 Boynton Beach has requested that such property be conveyed without reservation of and release the rights of entry and exploration relating to phosphate, mineral, metals and 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

the City of Boynton Beach without charge and by County Deed attached hereto as Exhibit "A" and incorporated herein by reference, the real property legally described in such deed. Any liens of record held by the County on the subject lands shall not survive the conveyance to the City of Boynton 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 Mary Lou Berger, Mayor
Commissioner Hal R. Valeche, Vice Mayor
Commissioner Paulette Burdick
Commissioner Shelley Vana
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: 
Chief Assistant County Attorney

By:  
Department Director

EXHIBIT "A"

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: 08-43-45-21-33-000-0070
Closing Date: _____
Purchase Price: \$0.00

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 BOYNTON BEACH**, a Florida municipal corporation, whose legal mailing address is 100 E. Boynton Beach Boulevard, Boynton Beach, Florida 33435, " City".

W I T N E S S E T H:

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:

KNOLLWOOD SUB LT 7.

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 12727 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 27925, PAGE 0598, 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: _____
Mary Lou Berger, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
Chief Assistant County Attorney

(OFFICIAL SEAL)

ATTACHMENT NO. 3

1 PAGE.

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: 08-43-45-21-33-000-0070

Closing Date: _____

Purchase Price: \$0.00

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SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

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

By: _____
Mary Lou Berger, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Chief Assistant County Attorney

(OFFICIAL SEAL)

ATTACHMENT NO. 4

/ PAGE

The City of Boynton Beach



OFFICE OF THE CITY MANAGER
100 E. Boynton Beach Boulevard
P.O. Box 310
Boynton Beach, Florida 33425-0310
City Manager's Office: (561) 742-6010
FAX: (561) 742-6011
e-mail: laverrierel@bbfl.us
www.boynton-beach.org

November 30, 2015

Mr. Ross Hering, Director
Property & Real Estate Management Division
Palm Beach County
2633 Vista Parkway
West Palm Beach, FL 33411-5605

Re: NW 13th Avenue Escheatment Deed
PCN: 08-43-45-21-33-000-0070

Dear Mr. Hering:

Pursuant to your request of November 13, 2013, the City of Boynton Beach will accept conveyance of the property.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori LaVerriere".

Lori LaVerriere
City Manager

LL/lms

cc: James A. Cherof, City Attorney
Tim Howard, Director of Financial Services