

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

Meeting Date: March 22, 2016 **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 two (2) parcels of surplus property to the City of Belle Glade without charge pursuant to Florida Statute Section 197.592(3), and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and

- B) approve** two (2) County Deeds in favor of the City of Belle Glade.

Summary: In September and December of 2015, the County acquired two (2) parcels located within the municipal boundaries of the City of Belle Glade by Escheatment Tax Deed. The parcels serve no present or future County purpose. The parcels are being conveyed to the City pursuant to Florida Statute 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 maintenance responsibility and potential liability for occurrences on the property. The County will retain mineral and petroleum rights in accordance with Florida Statute Section 270.11, without rights of entry and exploration. **This conveyance must be approved by a Supermajority vote (5 Commissioners).**
(PREM) District 6 (HJF)

Background and Justification: The two (2) parcels are unimproved, totaling 0.17 acres (0.08 and 0.09) in size with a 2015 total assessed value of \$5,948 (\$2,974/parcel). 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 these properties is to convey them 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 properties.

Attachments:

- 1. Location Map
- 2. Resolution
- 3. County Deeds (2)
- 4. Letter from the City of Belle Glade dated January 26, 2016, requesting parcels

Recommended By: *RKH* *Amy Wif* *2/22/16*
 Department Director **Date**

Approved By: *[Signature]* *3/9/16*
 County Administrator **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	<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 H07918 (PCN 04-37-43-31-01-030-0380)
H07925 (PCN 04-37-43-31-01-030-0630)

[Signature]
 03/01/2016

[Handwritten signature] 22316

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature]
 OFMB ^{AP} 3/2 ^{PA} 3/2

[Signature]
 Contract Development and Control 3/8/16

B. Legal Sufficiency:

[Signature] 3/8/16
 Assistant County Attorney

C. Other Department Review:

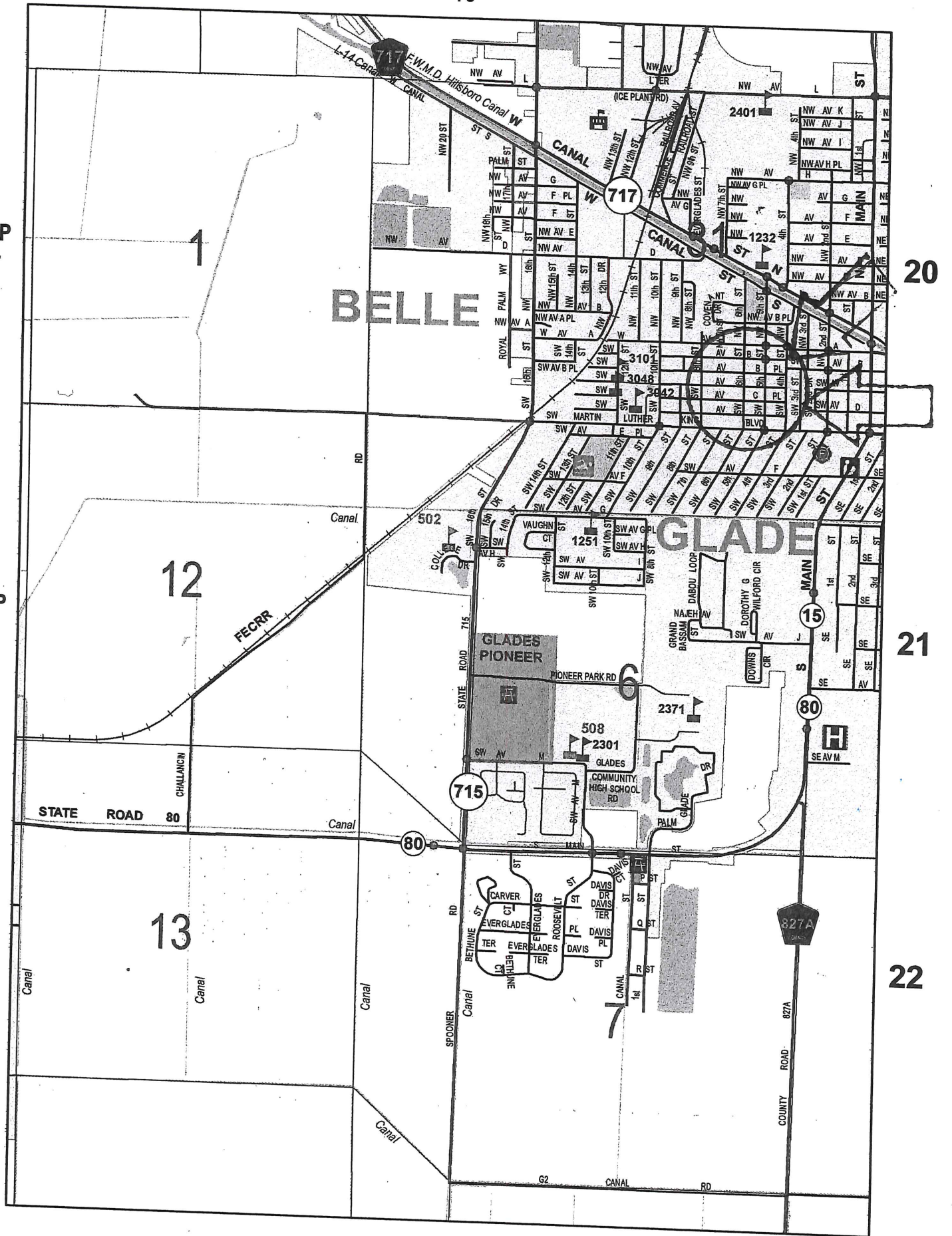
 Department Director

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

TWP 44

TWP 44

TWP 44



RNG 36

See pg 164

RNG 37

Page 157

LOCATION MAP

Attachment No. 1
(1 page)



ATTACHMENT NO. 2
(5 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 BELLE GLADE 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 two (2) properties within the municipal boundaries of the City of Belle Glade 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 Belle Glade 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 City of Belle Glade without charge and by County Deeds attached hereto as Exhibit "A"

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 Belle Glade.

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

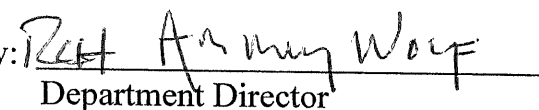
By: 
Department Director

Exhibit "A"
County Deeds

PREPARED BY AND RETURN TO:
Della Lowery, Property Specialist
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 04-37-43-31-01-030-0380
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 BELLE GLADE, a municipal corporation of the State of Florida, whose legal mailing address is 110 Dr. Martin Luther King, Jr. Boulevard West, Belle Glade, Florida 33430 "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:

31-43-37, SUB BY STATE SURVEY W 40 FT OF E 195 FT OF S 85
FT OF N 550 FT OF LT 30
Property Identification Number: 04-37-43-31-01-030-0380

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER
TAX CERTIFICATE NUMBER 16832 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 27799, PAGE 1491,
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: _____
Mary Lou Berger, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Chief Assistant County Attorney

PREPARED BY AND RETURN TO:
Della Lowery, Property Specialist
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 04-37-43-31-01-030-0630

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 BELLE GLADE**, a municipal corporation of the State of Florida, whose legal mailing address is 110 Dr. Martin Luther King, Jr. Boulevard West, Belle Glade, Florida 33430 "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:

31-43-37, SUB BY STATE SURVEY W 45 FT OF E 155 FT OF S 85
FT OF N 990 FT OF LT 30

Property Identification Number: 04-37-43-31-01-030-0630

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER
TAX CERTIFICATE NUMBER 16843 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 27983, PAGE 0979,
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
(2 pages)

PREPARED BY AND RETURN TO:
Della Lowery, Property Specialist
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 04-37-43-31-01-030-0380

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 BELLE GLADE, a municipal corporation of the State of Florida, whose legal mailing address is 110 Dr. Martin Luther King, Jr. Boulevard West, Belle Glade, Florida 33430 "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:

31-43-37, SUB BY STATE SURVEY W 40 FT OF E 195 FT OF S 85 FT OF N 550 FT OF LT 30

Property Identification Number: 04-37-43-31-01-030-0380

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 16832 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 27799, PAGE 1491, 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)

PREPARED BY AND RETURN TO:
Della Lowery, Property Specialist
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 04-37-43-31-01-030-0630

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 BELLE GLADE, a municipal corporation of the State of Florida, whose legal mailing address is 110 Dr. Martin Luther King, Jr. Boulevard West, Belle Glade, Florida 33430 "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:

31-43-37, SUB BY STATE SURVEY W 45 FT OF E 155 FT OF S 85
FT OF N 990 FT OF LT 30

Property Identification Number: 04-37-43-31-01-030-0630

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER
TAX CERTIFICATE NUMBER 16843 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 27983, PAGE 0979,
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. 4
(1 page)



City of Belle Glade

Office of the City Manager

A Municipal Corporation since
September 11, 1945

110 Dr. Martin Luther King, Jr.
Boulevard West
Belle Glade, FL 33430

Tel: 561-992-1601
Fax: 561-992-2221

www.bellegladegov.com

Commissioners

Steve B. Wilson
Mayor

Mary Ross Wilkerson
Vice Mayor

Michael C. Martin
Treasurer

Johnny Burroughs Jr.

Larry Underwood

Lomax Harrelle
City Manager

January 26, 2016

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

Dear Mr. Hering:

I am in receipt of an email (copy enclosed) from Ms. Della M. Lowery, Palm Beach County FDO, wherein she identifies two (2) lots, or "escheated tax deed parcels," located in the City of Belle Glade that the County plans to deed to the City.

Please accept this letter as confirmation that the City accepts and is requesting the conveyance of these two (2) parcels to the City. Small parcels are of no use to the City and only add to our already huge upkeep (mowing, weed control, litter issues) costs. As we have done in the past with such very small lots, we will likely offer them to adjacent home owners, with their only cost to the buyer being payment of deed prep, nominal attorney's fee, etc. (the City will not recognize any revenue from these sales).

Please keep me informed as the process moves along. Once we receive notification of the deeds having been finalized and recorded, we will move forward with offering the lots to adjacent home owners.

Sincerely,

Lomax Harrelle,
City Manager

cc: Honorable Mayor and City Commission
Beverly Scott, Assistant to the City Manager
David Wood, Finance Director
Diana Hughes, Assistant Finance Director
Annette Parchment, P&CRS Director