# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	March 22, 2016	[X] Consent [ ] Ordinance	[ ] Regular [ ] Public Hearing
Department:	Facilities Developmen	nt & 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 Pahokee 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 three (3) County Deeds in favor of the City of Pahokee.

Summary: In September 2015, the County acquired three (3) parcels located within the municipal boundaries of the City of Pahokee 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: All three (3) parcels are unimproved, totaling 0.26 acres (0.15, 0.0561 and 0.05) in size with a 2015 total assessed value of \$20,410 (\$7,709, \$6,615 and \$6,086). 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 this 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 (3)
- 4. Letter from the City of Pahokee dated February 5, 2016, requesting parcels

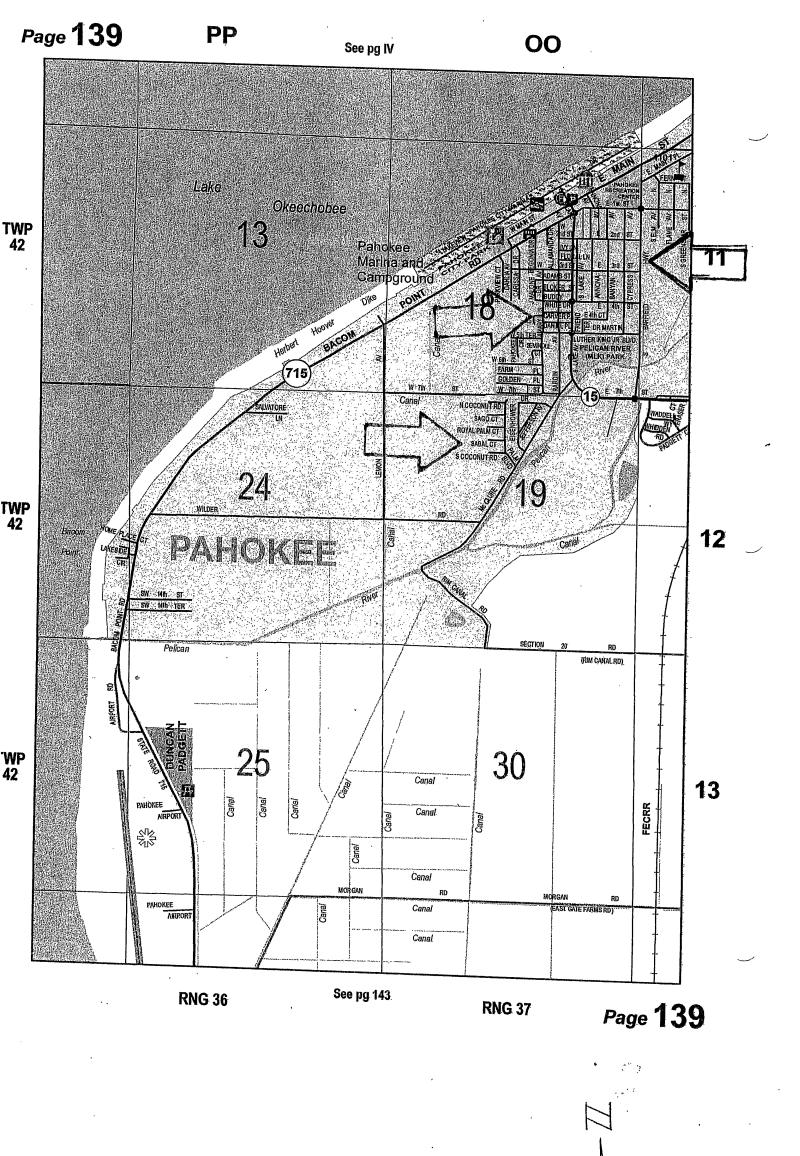
Recommended By:	Army Wox	2/2/16
•	Department Director	Date
Approved By:	Maken	3/9/14
	County Administrator	Date

# II. FISCAL IMPACT ANALYSIS

Α.	Five Year Summary of F	iscal Impa	ct:			
Fisc	eal Years	2016	2017	2018	2019	2020
Ope Ext Pro	oital Expenditures erating Costs ernal Revenues gram Income (County) Kind Match (County					
NET	Γ FISCAL IMPACT	<del>*-</del> 0	0-	0-	~()~	0-
	DDITIONAL FTE SITIONS (Cumulative)					
Is It	tem Included in Current Bu	dget: Yes	5	No		
Bud	get Account No: Fund P	D rogram _	ept	Unit	Object <u> </u>	
В.	Recommended Sources of	f Funds/Su	mmary of Fis	cal Impact:		
	*No fiscal impact.	,				
C.	Fixed Asset Number H079 H079 H079 Departmental Fiscal Revie	915 (PCN # 916 (PCN #	48-37-42-18- 448-37-42-19-0	18-039-0100)		7001 2014
		III. <u>REV</u>	TEW COMM	<u>IENTS</u>		
Α.	OFMB Fiscal and/or Cont	ract Devel	opment Com	ments:		
	OFMB BP \$	3/4/16	1	evelopment and	Malari 3	18)16
В.	Legal Sufficiency:  Assistant County Attorney	18/16				
C.	Other Department Review	:	,			
	Department Director	***************************************				

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



LOCATION MAP Attachment No.1

#### RESOLUTION NO. 20\_

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

WHEREAS, the County owns three (3) properties within the municipal boundaries of the City of Pahokee 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 Pahokee 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. <u>Authorization to Convey Real Property</u>

The Board of County Commissioners of Palm Beach County shall convey to the City of Pahokee 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 Pahokee.

# 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. <u>Effective Date</u>	
The provisions of this Resolut	ion shall be effective immediately upon adoption
hereof.	· · · · · · · · · · · · · · · · · · ·
The foregoing resolution was o	ffered by Commissioner who
moved its adoption. The Motion was	seconded by Commissioner,
and upon being put to a vote, the vote	
Commissioner Ma Commissioner Ha Commissioner Par Commissioner She Commissioner Ste Commissioner Me Commissioner Pri	elley Vana even L. Abrams elissa McKinlay
The Mayor thereupon declare	d 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: Let Army Work Department Director

G:\PREM\PM\Dispositions\City of Pahokee Disposition 2016\Resolution.hf approved 2-4-2016.docx

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: 48-37-42- Closing Date:	18-10-000-0080
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 County County and the CITY OF PAHOKEE, a municipal corporation the State of Florida, whose legal mailing address is 207 Begonia Drive, Pahokee, Florida 33476, "City".	ounty each,
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# 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:

MACKEY ADD LT 8

Property Identification Number: 48-37-42-18-10-000-0080

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 29641 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 27799, PAGE 0420, 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 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.

and year aforesaid.	or or bard
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	
Ву:	(OFFICIAL SEAL)
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: 48-37-42-18-18-039-0100 Closing Date:\_ Purchase Price: **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 PAHOKEE, a municipal corporation, of the State of Florida, whose legal mailing address is 207 Begonia Drive, Pahokee, Florida, 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: TR 39 RIDGEWAY BEACH N 79 FT OF S 411.64 FT OF W 50 FT OF E 265 FT (LESS S 30 FT) Property Identification Number: 48-37-42-18-18-039-0100 THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 29728 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 27799, PAGE 0041, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. Reserving, however, unto County, its successors and assigns, an undivided threefourths (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 PALM BEACH COUNTY, a political CLERK & COMPTROLLER subdivision of the State of Florida

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: 48-37-42-19-03-000-1892
Closing Date:
Purchase Price: \$-0-

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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 PAHOKEE, a municipal corporation, of the State of Florida, whose legal mailing address is 207 Begonia Drive, Pahokee, Florida, 33476, "City".

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EAST LAKE VILLAGE PL NO 3 W ½ OF LT 189 Property Identification Number: 48-37-42-19-03-000-1892

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 29804 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 27800, PAGE 0314, 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 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.

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PALM BEACH COUNTY, a political subdivision of the State of Florida
By: Mary Lou Berger, Mayor
·
(OFFICIAL SEAL)
·

PREPARED BY AND RETURN TO:

<u>Della Lowery, Property Specialist</u>

Palm Beach County

Property & Real Estate Management Division
2633 Vista Parkway

West Palm Beach, FL 33411-5605

PCN: 48-37-42-18-10-000-0080 Closing Date: Purchase Price: \$-0-

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Board, the day and year aforesaid.	Jan of 1200 Hadyon of Suf
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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	

v: (OFFICIAL SEAL)

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

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ATTEST:	1
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By: Deputy Clerk	By: Mary Lou Berger, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	

(OFFICIAL SEAL)

ssistant 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: 48-37-42-19-03-000-1892 Closing Date:\_\_\_\_\_ Purchase Price:\_\_\_\_\_\$-0-

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# SHARON R. BOCK CLERK & COMPTROLLER By: Deputy Clerk APPROVED AS TO FORM AND LEGAL SHEEL CHARLES

AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

Chief Assistant County Attorney



207 Begonia Rd. Pahokee, FL 33476 hone: (561) 924-5534 Fax: (561) 924-8140

ww.cityofpahokee.com

February 5, 2016

**COMMISSIONERS** 

Colin Walkes
MAYOR

Diane L. Walker VICE MAYOR

> Allie H. Biggs COMMISSIONER

Felisia C. HIII COMMISSIONER

Nathaniel Holmes
COMMISSIONER

ADMINISTRATION

ndler F. Williamson CITY MANAGER

nmy Jackson-Moore DEPUTY CITY MANAGER

Tijauna Warner

Gary Brandenburg
CITY ATTORNEY

Ross C. Hering, Director, Property & Real Estate Management Division.

City of Pahokee

2633 Parkway, West Palm Beach, FL 33411-5605

Dear Mr. Hering:

Please allow this letter to serve as a written request to process the conveyance of the parcels mentioned below:

PCN  $\frac{48-37-42-19-03-000}{48-37-42-18-10-000}$ -1892 — Unimproved 0.05 acre located on Sabal Court PCN  $\frac{48-37-42-18-10-000}{48-37-42-18-18-039}$ -0100 — Unimproved 0.0561 acre located on Carver PL

Currently, we have not decided and do not have a specific plan on the use of the aforementioned properties, as requested on your e-mail of February 3, 2016.

The City of Pahokee appreciates and recognizes Palm Beach County Board of County Commissioners for the donation of the above properties.

If you have any additional questions, please do not hesitate to contact me at 561-924-5534, Ext. 20.

Chandler F. Williamson

City Manager

Palm Roach Countr's Other Coast