

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

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Meeting Date:	May 17, 2016	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

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Department: Facilities Development & Operations

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion:

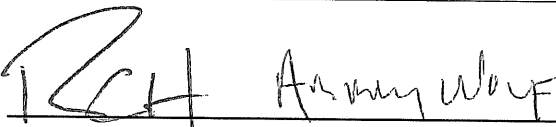

- A) **adopt** a Resolution authorizing the conveyance of the County’s interest in approximately 5.9 acres of County owned land to the Village of Royal Palm Beach (Village) without charge and without reservation of mineral and petroleum rights; and
- B) **approve** a County Deed in favor of the Village.

**Summary:** On June 19, 2001, the County and the Village entered into an Interlocal Agreement (R2001-0930) for the joint acquisition, development and funding of a linear park on the northeast corner of Royal Palm Beach Boulevard and Sparrow Drive (Veteran’s Park). The project entailed the purchasing of 13 one-half acre lots with \$550,000 in County funds. The County acquired six (6) of the lots at a total cost of \$220,194. The Village acquired the remaining seven (7) lots and was eligible for reimbursement up to \$287,200. Pursuant to the Interlocal Agreement, the Village was required to convey its seven (7) parcels to the County, and the County leased the Park to the Village for a term of fifteen (15) years, expiring on June 18, 2016, at one dollar (\$1.00) per year. The County is required to convey the Park to the Village at the end of the lease. The development, operation and maintenance of the Park is the responsibility of the Village. The deed will satisfy the County’s final obligations under the Interlocal Agreement and contains a restriction limiting the use of the property to public park purposes. The Village requested the County not reserve mineral rights. **This conveyance must be approved by a Supermajority vote (5 Commissioners). (PREM) District 6 (HJF)**

**Background and Justification:** On March 9, 1999, the \$25 Million Recreational and Cultural Facilities Bonds was approved by voters of Palm Beach County and included \$550,000 in funding for acquisition of land for this park in Royal Palm Beach. The tentative list of projects was approved by the Board on July 27, 1999.

- Attachments:**
- 1. Location Map
  - 2. Resolution
  - 3. County Deed

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Recommended By:		4/25/16
	Department Director	Date
Approved By:		5/4/16
	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><u>-0-*</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></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: M06401 – M06413

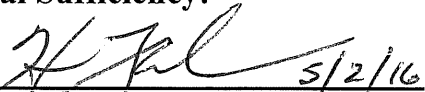
Departmental Fiscal Review: \_\_\_\_\_ *4-19-16*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 OFMB KP <i>4/22</i> <i>4/25</i>	 Contract Development and Control <i>4/29/16</i>
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B. Legal Sufficiency:

  
Assistant County Attorney *5/2/16*

C. Other Department Review:

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

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



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Attachment No. 1  
1 of 1



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 OWNED BY PALM BEACH COUNTY TO THE VILLAGE OF ROYAL PALM BEACH ("VILLAGE"), WITHOUT CHARGE AND WITHOUT MINERAL AND PETROLEUM RIGHTS RESERVATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the County and the Village entered into an Interlocal Agreement (R2001-0930) for the joint acquisition, development and funding of thirteen (13) parcels for a linear park (Park) located within the Village wherein the County and Village agreed that the Village would design, construct, operate and maintain the Park and the County would fund a certain portion of the acquisition costs; and

**WHEREAS**, the County acquired six (6) parcels and the Village acquired the remaining seven (7) parcels for the Park; and

**WHEREAS**, pursuant to the Interlocal Agreement, the Village was required to convey its seven (7) parcels to the County, and the County leased the Park to the Village for fifteen (15) years; and

**WHEREAS**, pursuant to the Interlocal Agreement and the lease, the County is required to convey the Park to the Village at the end of the term of the lease, which said lease expires on June 18, 2016; and

**WHEREAS**, the Village has made application to the Board of County Commissioners of Palm Beach County requesting that Palm Beach County convey approximately 5.9 acres of surplus real property to the Village for use by the public for park purposes; and

**WHEREAS**, the Board of County Commissioners of Palm Beach County hereby finds that the aforementioned use constitutes a use for the community interest and welfare, such real property is required for such use and such real property is not needed for County purposes; and

WHEREAS, pursuant to Florida Statute Section 270.11, the Village has requested that such property be conveyed without reservation of phosphate, mineral, metals and petroleum rights; and

WHEREAS, the Board of County Commissioners of Palm Beach County hereby agrees to convey such property without reserving phosphate, mineral, metals and petroleum 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 Village without charge and by County Deed attached hereto as Exhibit “A” and incorporated herein by reference, the real property legally described in such Deed, subject to a deed restriction limiting the use of such property to public park purposes.

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

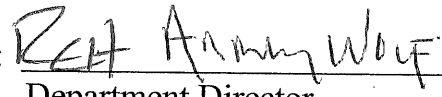
SHARON R. BOCK  
CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Assistant County Attorney

APPROVED AS TO TERMS  
AND CONDITIONS

By: \_\_\_\_\_  
Department Director

G:\PREM\PM\Dispositions\Veteran's Park\Resolution.hf app 3-8-2016 rev without reserv.docx

**EXHIBIT "A"**  
**COUNTY DEED**

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: 72-41-43-26-07-013-0090  
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 Village of Royal Palm Beach, a Florida municipal corporation, whose legal mailing address is 1050 Royal Palm Beach Boulevard, Royal Palm Beach, FL 33411, "Village".

**WITNESSETH:**

That County, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) to it in hand paid by Village, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Village, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

Lots 9 through 21, Block M, The Willows, according to the Plat thereof recorded in Plat Book 29, Pages 102 through 106, public records of Palm Beach County, Florida (the "Property").

This County Deed is granted upon the express condition and restriction that the Property shall be used and operated by Village in perpetuity as a public park. In the event that Village ceases to use the Property for said purpose or uses the Property for any purpose inconsistent with a public park, the Property shall revert to County.

**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:   
Assistant County Attorney

ATTACHMENT NO. 3  
1 page

PREPARED BY AND RETURN TO:  
Della Lowery, Property Specialist  
Palm Beach County  
Property & Real Estate Management Division  
2633 Vista Parkway  
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**SHARON R. BOCK**  
**CLERK & COMPTROLLER**

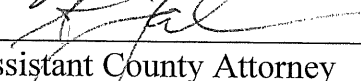
**PALM BEACH COUNTY, a political**  
**subdivision of the State of Florida**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mary Lou Berger, Mayor

**APPROVED AS TO FORM**  
**AND LEGAL SUFFICIENCY**

**(OFFICIAL SEAL)**

By:   
Assistant County Attorney