

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	September 12, 2017	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		


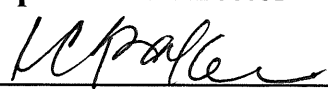
I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Release of Phosphate, Minerals, Metals, and Petroleum Reservations from 5.45 acres of Village of Royal Palm Beach (Village) owned property located on Okeechobee Boulevard in Royal Palm Beach.

Summary: The Village acquired a 5.45 acre civic site within the Portosol PUD which was developed by Minto Communities, LLC (Minto). The property was previously conveyed to Minto as part of a larger exchange of property with the County. The County reserved mineral rights in the conveyance to Minto and the Village has requested that the County release those reservations. The Village is under contract to sell the civic site to Hunt Midwest Real Estate Development (Hunt) for development of a Senior Housing/Memory Care Facility. Hunt is requiring the mineral reservations to be released as a condition of closing. Staff has no reason to believe that there are any minerals of significant market value. (PREM) District 6 (HJF)

Background and Justification: On November 16, 2004 (R2004-2412), the Board approved a Real Property Exchange Agreement (Agreement) with Minto for the purpose of extending State Road 7 from Okeechobee Boulevard to Persimmon Boulevard to provide public transportation and traffic relief for residents of the Acreage. Minto owned approximately 544 acres of land which the needed SR 7 right of way would bifurcate and would only exchange its property for other property that would meet its needs. The County identified 250.59 acres of land heavily impacted with exotic vegetation within the Pond Cypress Natural Area (Natural Area) that, if developed, would result in less impact to the Natural Area. The County’s Engineering and Public Works Department required 95 acres of land within the Natural Area for road right-of-way, buffers and stormwater flowage. The exchange of these properties reconfigured and expanded the Natural Area by 278.5 acres. Pursuant to the Agreement, in 2006, the County conveyed 250.59 acres of land to Minto in exchange for approximately 544 acres of land owned by Minto. The County reserved phosphate, minerals, metals and petroleum rights in the property conveyed to Minto. In 2007, Minto conveyed 5.45 acres to the Village. The Village is requesting the County release the reservations on the 5.45 acres conveyed to the Village so that the Village can complete a sale of the property to Hunt for a Senior Housing/Memory Care Facility.

- Attachments:**
- 1. Location Map
 - 2. Release of Phosphate, Minerals, Metals, and Petroleum Reservations

Recommended By:		8/21/17
	Department Director	Date
Approved By:		8/31/17
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	* 0	_____	_____	_____	_____
# 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 N/A

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:


OFMB 8/21 & 8/22 8/23/17


Contract Development and Control 8/29/17

B. Legal Sufficiency:


Assistant County Attorney 8/31/17

C. Other Department Review:

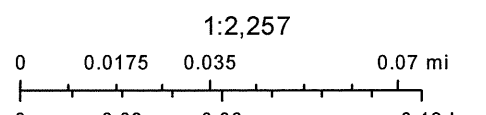
Department Director

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



July 17, 2017

Attachment 1
2 of 2



Attachment 2
1 pg

PREPARED BY AND RETURN TO:
Margaret Jackson, Contract Analyst
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 72-41-43-13-01-003-0000

**RELEASE OF PHOSPHATE, MINERALS, METALS, AND PETROLEUM
RESERVATIONS**

This **RELEASE**, 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, Florida 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, does hereby release, convey and forever quitclaim unto Village all phosphate, minerals, metals, and petroleum rights to and interest in the following described land lying and being in Palm Beach County, Florida:

Tract C-1 of PORTOSOL, according to the Plat thereof, as recorded in Plat Book 110, Page 37, of the public records of Palm Beach County, Florida.

This Release is being given without statutory, express or implied, warranties of any nature whatsoever and acceptance hereof shall be without recourse 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: _____
Paulette Burdick, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By:  _____
Assistant County Attorney

(OFFICIAL SEAL)