Agenda Item: 3L5

PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

| Meeting Date: December 5 | (X) Consent () Workshop | ()Regular ()Public Hearing | |
|---------------------------------|--|-------------------------------|--|
| Department | () Workshop | | |
| Submitted By: Submitted For: | vironmental Resources Manac vironmental Resources Manac | gement gement | |
| | I. EXECUTIVE BRIEF | | |

Motion and Title: Staff recommends motion to accept: a Statutory Warranty Deed for the donation of a parcel of vacant land containing approximately 1.3 acres, located north of Indiantown Road and northeast of the Bee Line Highway, from Mary Agnes Kincaid. The County will pay the 2017 property taxes estimated at \$25, and title insurance, closing and recording costs estimated to be less than \$500.

Summary: The subject parcel is located in an area known as Palm Beach Heights (part of the Pal-Mar ecosite). As described in a 2017 report prepared by the County on the Lack of Development Potential of Palm Beach Heights Parcels, most of the lots in Palm Beach Heights, including the subject parcel, cannot meet current land development regulations and therefore are not buildable. The parcel owner has offered to donate it to the County for environmental and passive recreational uses, provided the County pays the 2017 property taxes, and title insurance, closing and recording costs. A title policy will be obtained for the parcel and a pre-acquisition environmental assessment will be performed by ERM. A boundary survey will not be obtained due to the remote location and low value of the land. ERM will be responsible for administration of the property. All costs and fees related to the property taxes, title insurance, closing and recording will be paid from the Natural Areas Fund, a non-ad valorem source of funds. This donation must be approved by a supermajority vote (5 Commissioners). District 1 (HF)

Background and Justification: Lands in the Pal-Mar ecosite were on the County's proposed acquisition list for both the Palm Beach County Environmentally Sensitive Lands Bond Referendum of March 12, 1991 and the Palm Beach County Lands for Conservation Purposes Bond Issue Referendum of March 9, 1999. The County currently owns 147 of the 434 lots in the Palm Beach County portion of the Palm Beach Heights subdivision. The subject parcel connects at its southeast corner to a parcel that is owned by the County and contains high-quality wet prairie habitat.

Attachments:

1. Location map

2. Statutory Warranty Deed

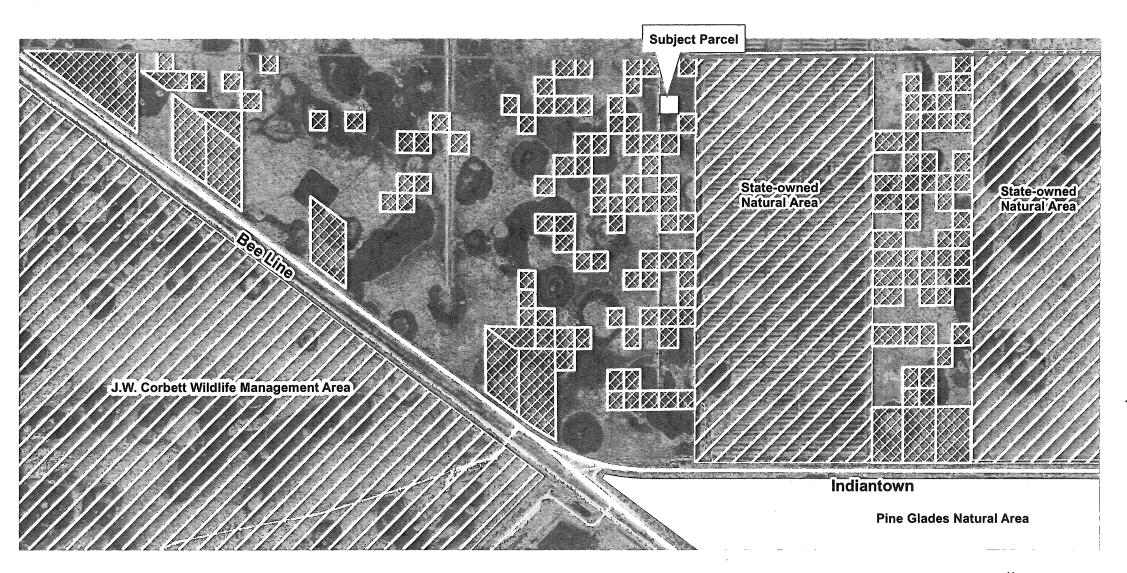
| Recommended by: | | 11/2/12 |
|-----------------|-----------------------------|----------|
| | Department Director | Date |
| Approved by: | | 11/28/17 |
| | Deputy County Administrator | Date |
| | | |

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 6 | 2018 | 2019 | 2020 | 2021 | 2022 |
|----------------------|---|---|---------------------------|---|---|--|
| Capital Exp | enditures | \$525 | | | - | Mark 2000 annual |
| Operating C | osts | | | | - | |
| External Re | venues | | | | Marie Control of the | Mark Control of the C |
| Program Inc | come (County | <i>(</i>) | | | | - |
| In-Kind Mat | ch (County) | *************************************** | | | MANAGEMENT ENGLISHED AND AND AND AND AND AND AND AND AND AN | |
| NET FISCAL | - IMPACT | <u>\$525</u> | | - | *************************************** | William Channel St. |
| # ADDITION POSITIONS | AL FTE (Cumulative |) | | | | |
| Is Item Inclu | ıded in Curre | nt Budget? | Yes _ | X | No | |
| Does this ite | em include th | e use of fede | eral funds? | Yes | No <u>X</u> | |
| Budget Acc | ount No.: | | | | | |
| Fund <u>1226</u> | Department | <u>380</u> Unit <u>31</u> | <u>62</u> Object <u>6</u> | 101 Progra | am <u>E205</u> | |
| В. | Funds for ac Areas Fund less than \$8 | equisition of t (1226). The 525 which w | cost of acqui | arcel will cor iring the parce 2017 prope | cal Impact: ne from the sel is expected erty taxes, an | d to be |
| C. | Department | Fiscal Review | | _ | | |
| | | III. REVIE | W COMMEN | <u>ITS</u> | | |
| A. | OFMB Fisca | l and /or Con | tract Dev. an | d Control Co | mments: | |
| (| Lin Pour OFMB/1/9 | - while | Gontra | act Develop | ear // | 16117 |
| B. | Legal Suffici | ency: | | | | |
| | Assistant Co | ounty Attorne | 7/17 Y | | | |
| C. | Other Depart | ment Review | / : | | | |
| | | | | | | |

Attachment 1



0.2

0.4

0.6



Donation Parcel

Palm Beach County-Owned

Publicly-owned Lands

Palm Beach County Natural Area





Miles

8.0

October 20, 2017;slm

ATTACHMENT 2

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

| PCN: | 00-40-4 | 0-33-00-000-3520 | |
|---------|-----------|------------------|---|
| Closing | g Date: | | |
| Purcha | se Price: | Donation | _ |

STATUTORY WARRANTY DEED

(Florida Statutes 689.02)

WITNESSETH:

THAT Grantor, for and in consideration of the sum of Ten and 00/100's (\$10.00) Dollars to it in hand paid by Grantee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, and sold to Grantee, its successors and assigns forever, all that certain land situate in Palm Beach County, State of Florida, to wit:

PARCEL UU 108

Lying in Section 33, Township 40 South, Range 40 East, Palm Beach County, Florida; Being the West 240 feet of the East 3956.54 feet of the South 237.5 feet of the North 709.03 feet. Subject to an easement for ingress, egress, drainage and utilities over the North 30 feet and drainage only over the West 30 feet.

Subject property is vacant unimproved land and is not the homestead of the Grantor.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

and year first above written. **GRANTOR:** Signed, sealed and delivered in the presence of: YIONNU Witness Name Printed Witness Signature STATE OF TEXAS COUNTY OF BEXAR HAYS The foregoing instrument was acknowledged before me this _ _day of October _____, 2017, by Mary Agnes Kincaid, an unmarried woman, ()who is personally known to me OR () who has produced A Texas Drivers License as identification and who ()did ()did not take an oath. Notary Public, State of Texas Michelle Angela Gronzalez Michelle Angela Gonzalez Print Notary Name 13/18/7080 Commission Number My Commission Expires: 04/27/2021 Approved by the Palm Beach County **Board of County Commissioners** County Attorney or Designee

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day

G:\PREM\Dev\Open Projects\ERM-P B Height Acquisitions-Mary A Kincaid\Deed\Deed. 10-4-2017 hf app 10-11-2017.docx