

5C-7

Agenda Item #:

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

|                                    |                                    |   |  |
|------------------------------------|------------------------------------|---|--|
| <b>Meeting Date:</b> June 19, 2018 | <input type="checkbox"/> Consent   | <input checked="" 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:

**A) adopt** a Resolution authorizing the conveyance of the County's interest in a 0.21 acre parcel of surplus property improved with a 1,232 SF manufactured home to the City of Belle Glade without charge pursuant to Florida Statutes Section 197.592(3), with reservation of mineral and petroleum rights, but without rights of entry and exploration; and

**B) approve** a County Deed in favor of the City of Belle Glade.

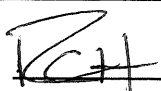
**Summary:** In July 2017, the County acquired a 0.21 acre parcel of surplus property improved with a 1,232 SF manufactured home located within the municipal boundaries of the City of Belle Glade by Tax Deed. The parcel serves no present or future County purpose. A recent appraisal valued the property at \$35,000. The parcel is being conveyed to the City pursuant to Florida Statutes Section 197.592(3), which requires the conveyance of surplus properties acquired by tax deed to the municipality in which it is located. This conveyance will relieve the County of potential liability for occurrences on the property. The County will retain mineral and petroleum rights in accordance with Florida Statutes 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 & Policy Issues:** In July 2017, the County acquired title to this property by Tax Deed. The property is improved with a 1,232 SF manufactured home that requires major repair. 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 this property is to convey the parcel at no cost to the City, as the municipality is in a better position to determine how this property should be used and maintained. Because of its location in a residential area, it is unlikely to be used for anything other than residential purposes. County Administration and the Housing and Economic Sustainability Department were notified and have no objections to the conveyance of the property to the City. This conveyance will relieve the County of potential liability for occurrences on the property. As this property has an assessed value less than \$250,000, review by the Property Review Committee is not required. A Disclosure of Beneficial Interests is also not required.

**Attachments:**

1. Location Map
2. Resolution (with Exhibit A)
3. County Deed
4. Letter from the City of Belle Glade dated November 30, 2017

**Recommended By:**

 Amy Waf  
Department Director

6/5/18  
Date

**Approved By:**

  
County Administrator

6/11/18  
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years                            | 2018       | 2019       | 2020       | 2021       | 2022       |
|---|------------|------------|------------|------------|------------|
| 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 X

Does this item include the use of federal funds? Yes \_\_\_\_\_ No X

Budget Account No: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Program \_\_\_\_\_

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Fixed Asset Number H08093

C. Departmental Fiscal Review: [Signature]

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature] 5/31/18  
OFMB 8060

[Signature] 6/7/18  
Contract Development and Control

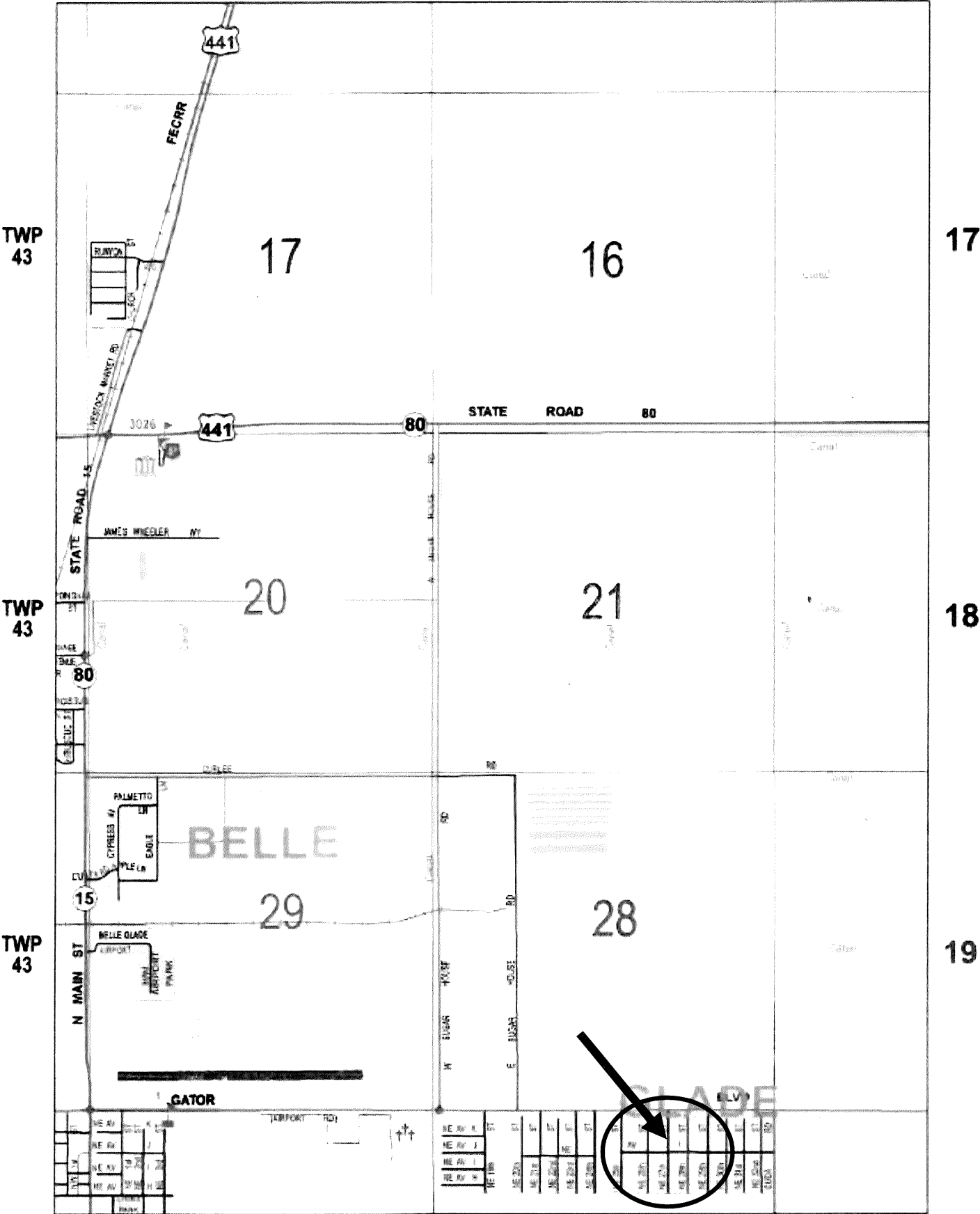
B. Legal Sufficiency:

[Signature] 6/7/18  
Assistant County Attorney

C. Other Department Review:

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

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



RNG 37

See pg 158

RNG 37

LOCATION MAP





**RESOLUTION NO. \_\_\_\_\_**

**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 one (1) improved parcel within the municipal boundaries of the City of Belle Glade which was 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 parcel has 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 Deed attached hereto as Exhibit "A"

and incorporated herein by reference, the real property legally described in such deed. 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 Melissa McKinlay, Mayor  
Commissioner Mack Bernard, Vice Mayor  
Commissioner Hal R. Valeche  
Commissioner Paulette Burdick  
Commissioner Dave Kerner  
Commissioner Steven L. Abrams  
Commissioner Mary Lou Berger

The Mayor thereupon declared the resolution duly passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2018.

PALM BEACH COUNTY, a political  
subdivision of the State of Florida  
BOARD OF COUNTY COMMISSIONERS

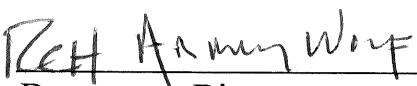
SHARON R. BOCK  
CLERK & COMPTROLLER

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

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By:   
Assistant County Attorney

APPROVED AS TO TERMS  
AND CONDITIONS

By:   
Department Director

**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: 04-37-43-33-07-000-0580

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 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".

### W I T N E S S E T H:

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:

ARROWHEAD ESTATES 1<sup>ST</sup> ADD LOT 58

THE ABOVE BEING THE REAL PROPERTY DESCRIBED  
UNDER TAX CERTIFICATE NUMBER 14082 IN THE TAX DEED  
RECORDED IN OFFICIAL RECORD BOOK 29206, PAGE 0226,  
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: \_\_\_\_\_  
Melissa McKinlay, Mayor

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

By:   
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: 04-37-43-33-07-000-0580  
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 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:

ARROWHEAD ESTATES 1<sup>ST</sup> ADD LOT 58

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 14082 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 29206, PAGE 0226, 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 an 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.

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: \_\_\_\_\_  
Melissa McKinlay, Mayor

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

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

(OFFICIAL SEAL)



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.bellegladedgov.com](http://www.bellegladedgov.com)

# City of Belle Glade

## Office of the City Manager

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November 30, 2017

VIA EMAIL

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

Re: Conveyance of One County-owned Parcel  
PCN: 04-37-43-33-07-000-0580

Dear Mr. Hering:

I am in receipt of a letter (copy enclosed) from Ms. Della M. Lowery, Palm Beach County FDO, wherein she identifies one (1) parcel, or "escheated tax deed parcel," located in the City of Belle Glade that the County wishes to convey to the City.

Please accept this letter as confirmation that the City accepts and is requesting the conveyance of this one (1) parcel to the City.

As we have done in the past with such lots, we will evaluate the best use of the property for the City, whether it be a park or green space or offering the lot for sale.

Please keep me informed as the process moves along. Once we receive notification of the deed having been finalized and recorded, we will move forward with options for use or disposal of the lot.

Sincerely,

  
Lomax Harrelle,  
City Manager

Enclosure

cc: Honorable Mayor and City Commission  
Beverly Scott, Deputy City Manager  
Larry Tibbs, Finance Director  
Diana Hughes, Assistant Finance Director  
Annette Parchment, P&CRS Director

Attachment #4  
1 pg