

6B-1

Agenda Item #:

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: August 25, 2020 [] Consent [X] Regular
[] Ordinance [] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of three (3) parcels of surplus property to the Village of Palm Springs, without charge, pursuant to Florida Statutes 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 Village of Palm Springs.

Summary: The County acquired three (3) unbuildable parcels located within the municipal boundaries of the Village of Palm Springs by Escheatment Tax Deed with a collective assessed value of \$4,467. These parcels serve no present or future County purpose. These parcels are being conveyed to the Village pursuant to Florida Statutes Section 197.592(3), which requires the conveyance of surplus properties acquired by tax deed to the municipality in which they are located. This conveyance will relieve the County of potential liability and maintenance costs for the properties. 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). (Property & Real Estate Management) District 3 (HJF)

Background and Policy Issues: The three (3) vacant and unbuildable tax deed acquired parcels are: 1) 0.04 acres located on Adcock Ln., acquired on March 20, 2000 with an assessed value of \$3,840; 2) 0.08 acres on Elizabeth St., acquired on February 27, 2002 with an assessed value of \$300; and 3) 0.01 acres on Floweva St., acquired on August 4, 1992 with an assessed value of \$327. The Engineering Department previously attempted to convey these parcels to the Village under F.S. 125.35 with a condition that the properties be used solely for a public purpose. The Village objected to the condition due to concerns that the property might not be able to be used for a public purpose. In response to direction from the Real Estate Assets Task Force, PREM has developed a program to convey surplus County properties to the municipalities in which they are located. These are surplus properties which provide little opportunity to further a County function. Staff feels strongly that the most cost effective method to dispose of these properties is to convey the parcels, at no cost, to the Village, as the municipality is in a better position to determine how these properties should be used and maintained. The Housing and Economic Sustainability Department was notified and has no objection to the conveyance of these properties to the Village. This conveyance will relieve the County of potential liability and maintenance costs. A Disclosure of Beneficial Interests is not required since this transaction is between the County and another governmental entity.

Attachments:

- 1. Location Maps (3)
- 2. Resolution
- 3. County Deeds (3)
- 4. Letter from the Village of Palm Springs dated June 12, 2020

Recommended By: [Signature] Department Director Date

Approved By: [Signature] County Administrator Date 8/11/2020

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
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 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:

No Fiscal Impact

*A. DeRiviero, FAMO, OFMB
2/2/20*

Fixed Asset Numbers Adcock M09509, Elizabeth M06491, & Floweva G07290

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature] 2/22/2020
 OFMB
[Signature] 7/1/20

[Signature] 7/31/2020
 Contract Development and Control

B. Legal Sufficiency:

[Signature] 8/11/20
 Assistant County Attorney

C. Other Department Review:

 Department Director

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



LOCATION MAP
ADCOCK LN





LOCATION MAP
ELIZABETH ST





LOCATION MAP
FLOWEVA ST



ATTACHMENT 2

Resolution
6 pages

RESOLUTION NO. 20_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE VILLAGE OF PALM SPRINGS 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 three (3) vacant parcels within the municipal boundaries of the Village of Palm Springs 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 Village of Palm Springs 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

Village of Palm Springs 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 Village of Palm Springs.

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 Dave Kerner, Mayor
- Commissioner Robert S. Weinroth, Vice Mayor
- Commissioner Hal R. Valeche
- Commissioner Gregg K. Weiss
- Commissioner Mary Lou Berger
- Commissioner Melissa McKinlay
- Commissioner Mack Bernard

The Mayor thereupon declared the resolution duly passed and adopted this ____ day of _____, _____.

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: _____
Assistant County Attorney

By: *[Signature]*
Department Director

Exhibit "A"
County Deeds

PREPARED BY AND RETURN TO:
RICHARD C. BOGATIN, Manager, Property Management
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 70-43-44-19-08-000-1050
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 PALM SPRINGS**, a Florida Municipal Corporation, whose legal mailing address is 226 Cypress Lane, Palm Springs, FL 33461 "Village".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars 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:

LAKWOOD GARDENS PLAT 1
E 20 FT OF N 80 FT OF S 350 FT OF TR 24 BLK 2

THE ABOVE BEING THE REAL PROPERTY DESCRIBED
UNDER TAX CERTIFICATE NUMBER 7521 IN THE TAX DEED
RECORDED IN OFFICIAL RECORD BOOK 11669, PAGE 493,
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: _____
Dave Kerner, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

PREPARED BY AND RETURN TO:
RICHARD C. BOGATIN, Manager, Property Management
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 70-43-44-19-08-000-0150
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Lake Echo Plat Private Alley N of & Adj to Lt 51

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 111937 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 13452, PAGE 432, 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.

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ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

PREPARED BY AND RETURN TO:
RICHARD C. BOGATIN, Manager, Property Management
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 70-43-44-08-04-000-0482
Closing Date: _____
Purchase Price: "0"

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W 2.75 FT OF LOT 48, BEING IN S 1/2 OF SW 1/4 OF SW 1/4, IN PB 25 P 192 CONGRESS HEIGHTS

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 599 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 7347, PAGE 1069, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths (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.

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ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

ATTACHMENT 3

County Deeds
3 pages
(1 page each)

PREPARED BY AND RETURN TO:
RICHARD C. BOGATIN, Manager, Property Management
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
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CLERK & COMPTROLLER

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By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

(OFFICIAL SEAL)

PREPARED BY AND RETURN TO:
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CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

(OFFICIAL SEAL)

PREPARED BY AND RETURN TO:
RICHARD C. BOGATIN, Manager, Property Management
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 70-43-44-08-04-000-0482

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ATTEST:

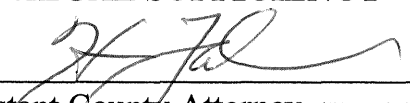
SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

(OFFICIAL SEAL)

ATTACHMENT 4

Letter from Palm Springs
1 page



Village of Palm Springs

226 Cypress Lane • Palm Springs, Florida 33461 -1699
561-965-4010 • www.vpsfl.org

June 12, 2020

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

RE: Conveyance of Three (3) Escheatment Deed Parcels

Dear Mr. Hering:

Pursuant to your request, the Village of Palm Springs will accept conveyance of the three tax deed parcels located on Floweva Street (70-43-44-08-04-000-0482), Adcock Lane (70-43-44-19-11-002-0249) and Elizabeth Street (70-43-44-19-08-000-1050).

Thank you for this consideration.

Sincerely,



Richard J. Reade
Village Manager

c: The Honorable Mayor Dave Kerner
 The Honorable Vice Mayor Robert Weinroth
 The Honorable Commissioner Hal R. Valeche
 The Honorable Commissioner Melissa McKinlay
 The Honorable Commissioner Mary Lou Berger
 The Honorable Commissioner Mack Bernard
 The Honorable Commissioner Gregg Weiss
 The Honorable Mayor Bev Smith
 The Honorable Vice-Mayor Patti Waller
 The Honorable Mayor Pro-Tem Gary Ready
 The Honorable Council Member Doug Gunther
 The Honorable Council Member Joni Brinkman
 Mr. Richard Bogatin, PREM

A GREAT PLACE TO CALL HOME