Agenda Item #: 5B-2

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	December 8, 2020	[] Consent [] Ordinance	[X] Regular [] 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 0.17-acre property to Patricia Antoniou at no charge and without reservation of mineral and petroleum rights; and
- B) approve a Quit Claim Deed in favor of Patricia Antoniou.

Summary: Ms. Patricia Antoniou owns a 0.17 improved residential property located at 1715 SW 21st Street in Boynton Beach. Unbeknownst to the County, on June 8, 2020, Ms. Antoniou recorded a warranty deed, reserving a life estate for herself and conveying one-quarter remainder interest to Palm Beach County Animal Care and Control in the event her heir predeceases her. Staff recommends that the County re-convey the property to Ms. Antoniou without competitive bidding under the alternative disposition procedures established by Ordinance 2019-038. The ordinance requires a finding by the Board that Ms. Antoniou is the only person capable of utilizing the parcel for its highest and best use. Re-conveyance to Ms. Antoniou is justified as the County did not request such conveyance nor did the Board accept the deed. Since Ms. Antoniou recorded the warranty deed, it could cause potential title and liability issues in the future. Therefore, staff recommends approval of the Quit Claim Deed in favor of Ms. Antoniou releasing any purported future County interest. Animal Care & Control Division has no objection to this conveyance. This conveyance must be approved by a Supermajority Vote (5 Commissioners) (Property & Real Estate Management) District 3 (HJF)

Background and Policy Issues: Staff discovered the warranty deed recorded in Official Records Book 31477, Page 1172 and executed by Ms. Antoniou, reserving a life estate for herself and conveying one-quarter remainder interest to Palm Beach County Animal Care and Control in the event her heir predeceases her. Animal Care and Control Division had no knowledge of the warranty deed. Staff contacted Ms. Antoniou and informed her that the Board has to accept all donations to the County and that the County has no use for the one-quarter interest in her property. As the warranty deed has already been recorded, the most efficient way to correct this issue is for the County to re-convey the one-quarter interest back to Ms. Antoniou who has been made aware of the County's intent. A Disclosure of Beneficial Interests is not required for this transaction as Patricia Antoniou is an individual.

Attachments:

- 1. Location Map
- 2. Resolution (w/Exhibit "A")
- 3. Quit Claim Deed

Recommended By: 9	Deputy Desector for	11/1/2)
	Department Director	Date /
Approved By:	Donne M. Rich for	11/23/2020.
	County Administrator	Date /

II. FISCAL IMPACT ANALYSIS

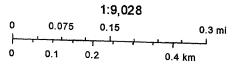
Five Year Summary of Fiscal Impact: A. **Fiscal Years** 2021 2022 2023 2024 2025 **Capital Expenditures Operating Costs** 0 **External Revenues** 0 **Program Income (County)** 0 In-Kind Match (County 0 **NET FISCAL IMPACT** 0 # ADDITIONAL FTE 0 **POSITIONS (Cumulative)** No <u>x</u> Is Item Included in Current Budget: Yes Does this item include the use of federal funds? Yes No x Budget Account No: Fund Dept Unit _____ Object Program В. Recommended Sources of Funds/Summary of Fiscal Impact: No Fiscal Impact. Fixed Assets Number N/A C. Departmental Fiscal Review; III. REVIEW COMMENTS **OFMB Fiscal and/or Contract Development Comments:** A. دروا درارا Contract Development and Control В. Assistant County Attorney Other Department Review: C.

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

Department Director

08-43-45-32-04-121-0120





LOCATION

ATTACHMENT 1. 1 0F1



ATTACHMENT 2
Resolution with Exhibit A
3 Pages

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN INTEREST IN REAL PROPERTY TO PATRICIA ANTONIOU, AT NO CHARGE; WITHOUT RESERVATION OF MINERAL AND PETROLEUM RIGHTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Patricia Antoniou ("Antoniou"), conveyed to the County a remainder one-quarter interest in a 0.17 acre improved surplus parcel located at 1715 SW 21st Street in Boynton Beach, in May 2020 by a Warranty Deed as recorded in Official Record Book 31477, Page 1172 of the public records of Palm Beach County; and

WHEREAS, prior to the conveyance of the parcel interest to the County, Antoniou did not properly notify the County of her donation and named Palm Beach County's Animal Care & Control as one of its remainders at one-quarter interest in a life estate in herself in said parcel; and

WHEREAS, the Board of County Commissioners of Palm Beach County hereby finds that the conveyance to the County was in error and without consideration, that equity requires re-conveyance of the property interest and the highest and best use of the parcel is to Antoniou the current owner; and

WHEREAS, the Board of County Commissioners of Palm Beach County hereby finds that Antoniou is the only person capable of reasonably utilizing the parcel for its highest and best use; and

WHEREAS, the Board desires to re-convey such parcel interest to Antoniou; and WHEREAS, pursuant to Florida Statute Section 270.11, the Board of County Commissioners of Palm Beach County hereby agrees to convey such property interest without reservation of 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 Re-convey Real Property

The Board of County Commissioners of Palm Beach County shall re-convey to Patricia Antoniou, at no charge, by Quit Claim Deed, attached hereto as Exhibit "A" and incorporated herein by reference, the real property legally described in such deed.

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. <u>Effective Date</u>

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: District 1: District 2: Gregg K. Weiss District 3: District 4: Robert S. Weinroth District 5: **District 6: Melissa McKinlay** District 7: The Mayor thereupon declared the resolution duly passed and adopted this __ day of ______, 2020. 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 APPROVED AS TO TERMS LEGAL SUFFICIENCY AND CONDITIONS By: Department Director

Exhibit "A"

PREPARED BY AND RETURN TO: Katrina L. Bellinger PALM BEACH COUNTY PROPERTY & REAL ESTATE MANAGEMENT DIVISION 2633 Vista Parkway West Palm Beach, FL 33411-5605

PCN: <u>08-43-45-32-04-121-0120</u>
Closing Date:
Purchase Price: <u>NA</u>

QUIT CLA	JM DEED
This QUIT CLAIM DEED, made on _COUNTY, a political subdivision of the State Commissioners, whose legal mailing address is 2 33411-5605, ("County"), and Patricia Antonio Street, Boynton Beach, FL 33426, ("Grantee").	2633 Vista Parkway, West Palm Beach, Florida
WITNE	SSETH:
That County, for and in consideration of it in hand paid by County, the receipt whereof is and sold to Grantees, their successors and assig and being in Palm Beach County, Florida:	
Lot 12, Block 121, TENTH SECTION OF Pa according to the plat thereof, as recorded in Public Records of Palm Beach County, Flori	Plat Book 30, Page 129, of the
The specific intent of this Quit Claim Deed is tarising pursuant to the Warranty Deed record. Page 1172, of the Public Records of Palm Beach	ed in Official Records Book 31477,
IN WITNESS WHEREOF, County has name by its Board of County Commissioners act the day and year aforesaid.	as caused these presents to be executed in its ting by the Mayor or Vice Mayor of said Board,
ATTEST:	
SHARON R. BOCK CLERK & COMPTROLLER	PALM BEACH COUNTY, a political subdivision of the State of Florida
Bv:	By:

_____, Mayor

(OFFICIAL SEAL)

Deputy Clerk

By:

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Assistant County Attorney

ATTACHMENT 3

QUIT CLAIM DEED

1 PAGE

PREPARED BY AND RETURN TO: KATINA L. Bellinger
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: <u>08-43-45-32-04-121-0120</u> Closing Date:_____ Purchase Price:____NA

OUIT CLAIM DEED

Q	OII CLAIM DEED
Commissioners, whose legal mailing	of the State of Florida, by and through its Board of County address is 2633 Vista Parkway, West Palm Beach, Florida cia Antoniou, whose legal mailing address is 1715 SW 21st ("Grantee").
	WITNESSETH:
it in hand paid by County, the receip	rideration of the sum of Ten and 00/100 (\$10.00) Dollars to pt whereof is hereby acknowledged, has granted, bargained ors and assigns forever, the following described land lying florida:
	TION OF PALM BEACH LEISUREVILLE, recorded in Plat Book 30, Page 129, of the bunty, Florida.
-	im Deed is to release any interest in the Property Deed recorded in Official Records Book 31477, f Palm Beach County, FL.
	F, County has caused these presents to be executed in its hissioners acting by the Mayor or Vice Mayor of said Board,
ATTEST:	
SHARON R. BOCK CLERK & COMPTROLLER	PALM BEACH COUNTY, a political subdivision of the State of Florida
By:	By:, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY By:	(OFFICIAL SEAL)

Assistant County Attorney