

6A-3

Agenda Item #:

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: April 20, 2021 [] Consent [X] Regular
[] Ordinance [] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a County Deed in favor of The Scripps Research Institute (Scripps) conveying approximately 70 acres of the Briger tract without reservation of mineral and petroleum rights pursuant to the Ground Lease Agreement between Palm Beach County and Scripps (R2012-0204).

Summary: On February 28, 2006, the Board of County Commissioners (Board) approved an Agreement (R2006-0423) for the Donation and Purchase and Sale with The Lester Family Investments, L.P., Richard Thall, Robert Thall, Peter L. Briger, Paul H. Briger, and the David Minkin Florida Realty Trust (Grantor) for 70 acres of property on the Briger site in Palm Beach Gardens. On May 2, 2006, the Board approved the Grant Agreement with The Scripps Research Institute, which included the Ground Lease Agreement as an Exhibit. The Ground Lease was executed on January 24, 2012. Pursuant to the terms of the Lease, the County is obligated to convey the property to Scripps for \$1.00 provided that Scripps is not in material default of the Lease or Grant Agreement. On January 27, 2021, Scripps sent a formal notice exercising its option to purchase the property. **(Property & Real Estate Management) District 1/Countywide (HJF)**

Background and Policy Issues: On February 28, 2006, the Board approved the acquisition of the Briger site, which consists of two parcels; Parcel I contains approximately 30 acres and was donated by the Grantor and Parcel II contains approximately 40 acres, which the County purchased for \$16,000,000. The Grantor retained 100 acres for itself, which was restricted to biotech uses until February 6, 2021 unless extended as provided in the Declaration of Covenants, as recorded in Official Records Book 21129, Page 244 of the Public Records of Palm Beach County. Parcel I and Parcel II were restricted to biomedical and other scientific research, training, and educational uses. Restrictions for Parcels I and II end simultaneously with grantor's restrictions on the 100 acres parcel; except Parcel I restrictions for biotech uses extend to February 6, 2031. On February 1, 2021, the Grantor's successor provided the County notice of the extension of the use restrictions until February 6, 2026.

The County entered into a Ground Lease with Scripps for the Briger site, which provides that the County is obligated to convey the property to Scripps for \$1.00 upon termination of the Lease provided that Scripps is not in material default of the Lease or Grant Agreement. Scripps sent a formal notice exercising its option to purchase the property on January 27, 2021. The Lease terminated on February 6, 2021. Upon conveyance, the property will continue to be restricted for biomedical and other scientific research, training and education purposes until February 6, 2026. Parcel I will be further restricted to biotech uses until February 6, 2031. However, the Grantor, or its successors, and Scripps may agree to amend the restrictions to provide for earlier termination or non-biotech uses.

Attachments:

- 1. Location Map
- 2. County Deed (W/Exhibit "A")

Recommended By: *[Signature]* Department Director 3/23/12 Date
Approved By: *[Signature]* County Administrator 4/8/21 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$1.00)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$1.00)	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget:		Yes _____	No _____		
Does this item include the use of federal funds?	Yes _____	No _____			
Budget Account No:	Fund <u>0001</u>	Dept <u>410</u>	Unit <u>4240</u>	Revenue Source <u>6999</u>	

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

Fixed Assets Number: M09950, M09949

*A. D. Review, MGR. F/MO
3/25/21 SFMOB*

C. Departmental Fiscal Review:

[Signature]

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Lisa Monte 3/30/21
OFMB *PC 3/30* *LM 3/30*

Joe J. Jacobson 4/1/21
Contract Development and Control *4-1-21/TW*

B. Legal Sufficiency:

[Signature] for HJF 4/2/2021
Assistant County Attorney

C. Other Department Review:

Department Director

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



ATTACHMENT No. 1
Location Map – 1 Page

ATTACHMENT No. 2

County Deed (W/Exhibit "A") – 5 pages

PREPARED BY AND RETURN TO:
Purvi A. Bhogaita, Director
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 52-42-41-26-01-001-0000

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 SCRIPPS RESEARCH INSTITUTE**, a California nonprofit public benefit corporation, whose legal mailing address is 10550 North Terrey Pines Road, La Jolla, California 92037, ("Grantee").

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

See **Exhibit "A"** attached hereto and made a part hereof.

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:

JOSEPH ABRUZZO
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

APPROVED AS TO
LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By:  _____
Assistant County Attorney

Exhibit "A"

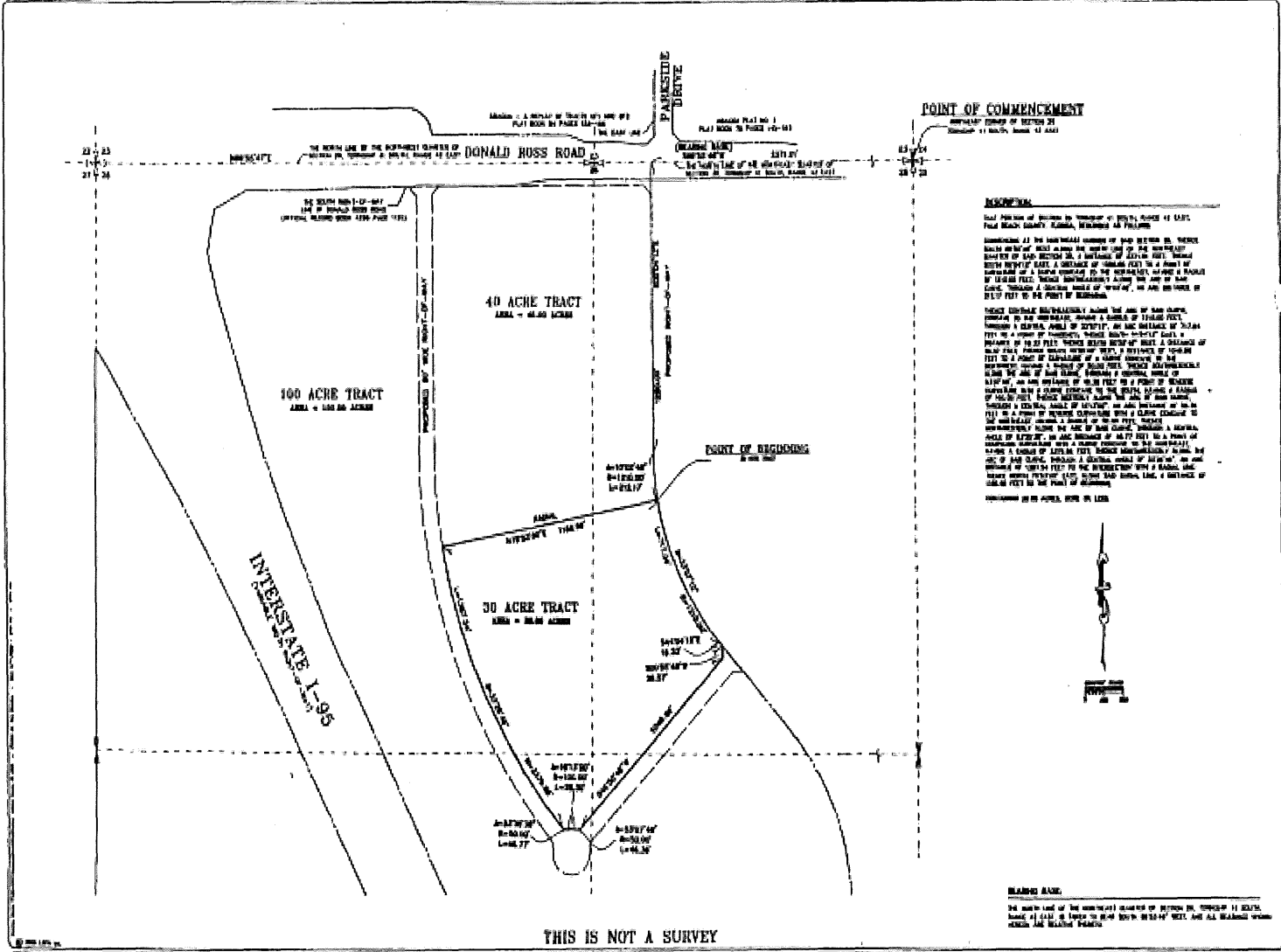
PARCEL I

THAT PORTION OF SECTION 26 TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26; THENCE SOUTH 89°55'48" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 2371.01 FEET; THENCE SOUTH 00°04'12" EAST, A DISTANCE OF 1280.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1210.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°02'48", AN ARC DISTANCE OF 212.17 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1210.00 FEET, THROUGH A CENTRAL ANGLE OF 33°57'12", AN ARC DISTANCE OF 717.04 FEET TO A POINT OF TANGENCY; THENCE SOUTH 44°04'12" EAST, A DISTANCE OF 19.33 FEET; THENCE SOUTH 00°55'48" WEST, A DISTANCE OF 56.57 FEET; THENCE SOUTH 45°55'48" WEST, A DISTANCE OF 1046.96 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 50.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 53°07'48", AN ARC DISTANCE OF 46.36 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 100.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°13'00", AN ARC DISTANCE OF 28.30 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 50.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 53°35'38", AN ARC DISTANCE OF 46.77 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2376.96 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°26'46", AN ARC DISTANCE OF 1387.54 FEET TO THE INTERSECTION WITH A RADIAL LINE; THENCE NORTH 79°53'00" EAST, ALONG SAID RADIAL LINE, A DISTANCE OF 1166.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 30.00 ACRES, MORE OR LESS



<table border="1"> <tr><td>DATE</td><td></td></tr> <tr><td>BY</td><td></td></tr> <tr><td>FOR</td><td></td></tr> <tr><td>REVISION</td><td></td></tr> </table>	DATE		BY		FOR		REVISION		<p>CONDUCTING CIVIL ENGINEERING SURVEYING & MAPS lpi 2800 S.W. 15th Avenue, Palm Beach, Florida 33410 (407) 850-3000 Fax (407) 850-3002 800-819-0376</p>	<p>SKETCH AND DESCRIPTION OF THIRTY(30) ACRE TRACT</p>	<p>SKETCH AND DESCRIPTION SCRIPPS RESEARCH INSTITUTE 10000 N.W. 31st Avenue, Palm Beach, Florida 33411 (407) 850-3000</p>	<p>DATE PLOTTED: 08-4481 SHEET 1 OF 1</p>
DATE												
BY												
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REVISION												

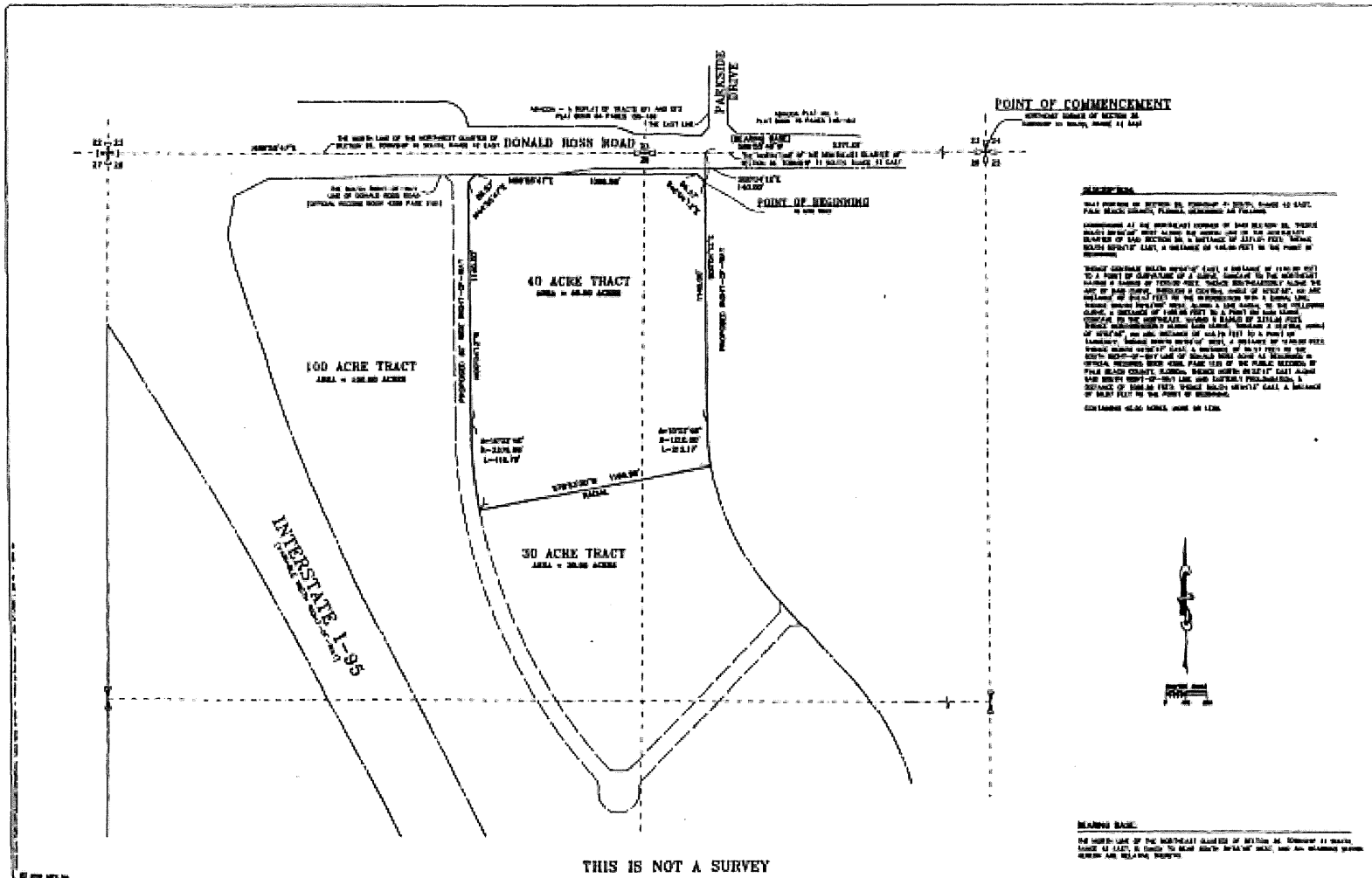
PARCEL II

THAT PORTION OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26; THENCE SOUTH 89°55'48" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 2371.01 FEET; THENCE SOUTH 00°04'12" EAST, A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 00°04'12" EAST, A DISTANCE OF 1140.00 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1210.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°02'48", AN ARC DISTANCE OF 212.17 FEET TO THE INTERSECTION WITH A RADIAL LINE; THENCE SOUTH 79°53'00" WEST, ALONG A LINE RADIAL TO THE FOLLOWING CURVE, A DISTANCE OF 1166.96 FEET TO A POINT ON SAID CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2376.96 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°02'48", AN ARC DISTANCE OF 416.79 FEET TO A POINT OF TANGENCY; THENCE NORTH 00°04'12" WEST, A DISTANCE OF 1140.00 FEET; THENCE NORTH 44°55'47" EAST, A DISTANCE OF 56.57 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF DONALD ROSS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 4296, PAGE 1151 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 89°55'47" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND EASTERLY PROLONGATION, A DISTANCE OF 1086.96 FEET; THENCE SOUTH 45°04'12" EAST, A DISTANCE OF 56.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 40.00 ACRES, MORE OR LESS



ABSTRACT

That portion of Section 22, Township 4 North, Range 42 East, Paul Black County, Florida, containing 100 acres.

Commenced at the northeast corner of said Section 22, Thence South 89° 57' 00" West along the corner line to the northeast corner of said Section 22, a distance of 114.14 feet, thence South 89° 57' 00" East, a distance of 114.14 feet to the point of beginning.

Thence South 89° 57' 00" West, a distance of 114.14 feet to a point of curvature of a circle tangent to the northeast corner of Section 22, thence along the arc of said circle, bearing a course, angle of 89° 57' 00", an arc distance of 114.14 feet to the intersection with a line, line, bearing South 89° 57' 00" West, a distance of 114.14 feet to the northeast corner of said Section 22, a distance of 114.14 feet to a point of curvature of a circle tangent to the northeast corner of said Section 22, thence along the arc of said circle, bearing a course, angle of 89° 57' 00", an arc distance of 114.14 feet to the northeast corner of said Section 22, a distance of 114.14 feet to the point of beginning.

Containing 100.00 acres, more or less.

WARNING:

THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 42 EAST, IS CORNER TO SEVERAL OTHER SECTIONS, AND AN UNLAWFUL ENCROACHMENT MAY BE MADE THEREON.



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 (Scraps)

<p>DATE: 11/11/2011</p> <p>TIME: 10:00 AM</p> <p>BY: [Signature]</p>	<p>Scraps Research Institute</p> <p>11111 Highway 100, Suite 100, Tallahassee, FL 32310</p> <p>Phone: 904-833-1111</p> <p>www.scrips.com</p>	<p>Scraps Research Institute</p> <p>11111 Highway 100, Suite 100, Tallahassee, FL 32310</p> <p>Phone: 904-833-1111</p> <p>www.scrips.com</p>	<p>SCRATCH AND DESCRIPTION OF</p> <p>PORTION 100 ACRE TRACT</p>	<p>SCRATCH AND DESCRIPTION</p> <p>SCRIPPS RESEARCH INSTITUTE</p> <p>11111 Highway 100, Suite 100, Tallahassee, FL 32310</p>	<p>DATE: 11/11/2011</p> <p>TIME: 10:00 AM</p> <p>BY: [Signature]</p>
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