

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	October 5, 2021	[] Consent [] Ordinance	[X] Regular [] Public Hearing
Department:	Facilities Developme	nt & Operations	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) adopt a Resolution authorizing the conveyance of one (1) property that escheated to the County to the Town of Mangonia Park pursuant to Florida Statutes, Section 197.592(3) without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and
- **B)** approve a County Deed in favor of the Town of Mangonia Park.

Summary: The County acquired a property located within the municipal boundaries of the Town of Mangonia Park (Town) by Tax Deed. This property serves no present or future County purpose. Pursuant to Florida Statutes, Section 197.592(3), properties that escheated to the County for delinquent ad valorem taxes which have not been previously sold, acquired for infill housing or dedicated by the Board of County Commissioners and which have not been conveyed to the former record fee simple owner, shall be conveyed to the municipality in which the property is located. Conveyance will relieve the County of potential liability and maintenance costs associated with the property. In accordance with Florida Statutes, Section 270.11, the County will retain mineral and petroleum rights without rights of entry and exploration. This conveyance must be approved by a Supermajority Vote (5 Commissioners). (Property & Real Estate Management) District 7 (HJF)

Background and Policy Issues: The subject property is vacant and is located on West Ct, West of Australian Avenue. The unimproved commercial parcel is 0.1148 acre in size and the 2020 total assessed value is \$25,550. While typically, any property being disposed which is valued at \$25,000 or more requires an appraisal, since this parcel was acquired via tax deed and is being conveyed free of charge to the Town pursuant to FS 197.592(3), no appraisal was obtained.

In response to direction from the Real Estate Assets Task Force, PREM has developed a program to convey escheated properties that provide little opportunity to further a County function to the municipalities in which they are located. The Housing and Economic Sustainability Department has no objection to the conveyance of the property to the Town. Conveyance will relieve the County of potential liability and maintenance costs associated with the property. A Disclosure of Beneficial Interests is not required for transactions between the County and another governmental entity.

Attachments:

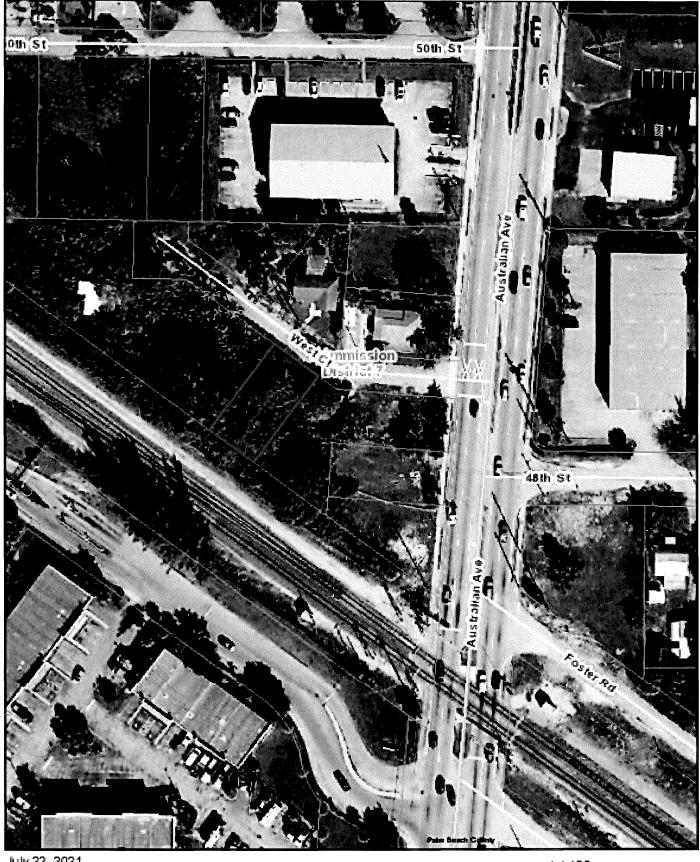
- 1. Aerial Map
- 2. Resolution (W/ Exhibit "A")
- 3. County Deed
- 4. Letter to the Town of Mangonia Park dated July 28, 2021

Recommended By:	Jeann 1. Ayal bolles	8/24/202/	
•	Department Director)	Date	
Approved By:	MBake	9/14/2/	
	County Administrator	Date /	

II. FISCAL IMPACT ANALYSIS

Fisc	cal Years	2022	2023	2024	2025	2026
Ope Ext Pro	oital Expenditures erating Costs ernal Revenues gram Income (County) Kind Match (County					
NE'	T FISCAL IMPACT	<u>-\$0-</u>	<u>-\$0-</u>	<u>-\$0-</u>	<u>-\$0-</u>	<u>-\$0-</u>
	DDITIONAL FTE SITIONS (Cumulative)					
Is I	tem Included in Current B	udget:	Yes	N	To <u>X</u>	
Doe	es this item include the use	of federal f	funds? Yes	N	lo X	
Bud	lget Account No: Fund	Pı	Dept rogram	U	^J nit	Object
В.	Recommended Sources of No Fiscal Impact Fixed Assets Number Departmental Fiscal Rev	H08946 view:	Dr. Dille Sm. A	ino, MS	r., FAAW, 1 8/26/21	ozmB
Α.	OFMB Fiscal and/or Co		VIEW COMM elopment Com			
	OFMB JA 4.124	un all	Contract De	evelopment:	faul G	1012
В.	Legal Sufficiency: Assistant County Attorney	9/10/21				
C.	Other Department Revie	ew:				
	Department Director					

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



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1:1,128

0 0.015 0.03

44-43-43-05-10-000-0070

2

AERIAL MAP

Attachment #1

RESOLUTION NO. 20_____

BOARD OF COUNTY RESOLUTION OF THE COMMISSIONERS OF PALM BEACH FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE TOWN OF **PARK PURSUANT** MANGONIA TO STATUTE SECTION 197.592(3) WITHOUT CHARGE AND WITH MINERAL AND PETROLEUM RIGHTS RESERVATION WITHOUT RIGHTS OF ENTRY AND **EXPLORATION**; AND **PROVIDING FOR** EFFECTIVE DATE.

WHEREAS, the County owns a property within the municipal boundaries of the Town of Mangonia Park ("Town"), 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 land 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, the conveyance of the property is required by Florida Statutes, the property serves no present or future County purpose, and is being conveyed free of charge to the Town, therefore no appraisal was completed; and

WHEREAS, pursuant to Florida Statute Section 270.11, the Town has requested that the 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 Town without charge and by the 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 land shall not survive the conveyance to the Town.

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 Maria G. Marino
Commissioner Gregg K. Weiss
Commissioner Maria Sachs
Commissioner Melissa McKinlay
Commissioner Mack Bernard

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of ______ day of _______ 2021.

PALM BEACH COUNTY, FLORIDA, a political Subdivision of the State of Florida

JOSEPH ABRUZZO CLERK OF THE CIRCUIT COURT & COMPTROLLER

By:		
	Deputy Clerk	

APPROVED AS TO LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

By: _

Howard J. Falcon, III

Chief Assistant County Attorney

Department Director

EXHIBIT "A" COUNTY DEED

PREPARED BY AND RETURN TO: Natalia Restrepo, Real Estate Contract Analyst PALM BEACH COUNTY PROPERTY & REAL ESTATE MANAGEMENT DIVISION 2633 Vista Parkway West Palm Beach, FL 33411-5605

PCN: <u>44-43-43-05-10-000-0070</u>

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 263	3 Vista Parkway, West Palm Beach,
Florida 33411-5605, "County", and the TOWN	OF MANGONIA PARK, a Florida
Municipal Corporation, whose legal mailing address	is 1755 East Tiffany Drive, Mangonia
Park, FL 33407, "Town".	

WITNESSETH:

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

WEST COURT LT 7

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 27944 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 31880, PAGE 1763, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto County, its successors and assigns, an undivided threefourths (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 $(\frac{1}{2})$ 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:

JOSEPH ABRUZZO CLERK OF THE CIRCIIT COUPT

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

& COMPTROLLER	subdivision of the State of Florid
By:	By:
Deputy Clerk	Dave Kerner, Mayor
APPROVED AS TO	
LEGAL SUFFICIENCY	
D	(OFFICIAL SEAL)
By:	
Chief Assistant County Attorney	

PREPARED BY AND RETURN TO: Natalia Restrepo, Real Estate Contract Analyst PALM BEACH COUNTY PROPERTY & REAL ESTATE MANAGEMENT DIVISION 2633 Vista Parkway West Palm Beach, FL 33411-5605

PCN: <u>44-43-43-05-10-000-0070</u>

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 TOWN OF MANGONIA PARK, a Florida Municipal Corporation, whose legal mailing address is 1755 East Tiffany Drive, Mangonia Park, FL 33407, "Town".

WITNESSETH:

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

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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 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:

JOSEPH ABRUZZO
CLERK OF THE CIRCUIT COURT
& COMPTROLLER

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

& COMPTROLLER	subdivision of the State of Florida
By: Deputy Clerk	By:
APPROVED AS TO LEGAL SUFFICIENCY	(OFFICIAL SEAL)

Chief Assistant County Attorney



Facilities Development & Operations Department

Property & Real Estate Management Division

2633 Vista Parkway

West Palm Beach, FL 33411

Telephone - (561) 233-0217

Facsimile (561) 233-0210

www.pbcgov.com/fdo

Palm Beach County Board of County Commissioners

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Maria G. Marino

Gregg K. Weiss

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer" July 28, 2021

Mr. Ken Metcalf, Town Manager Town of Mangonia Park 1755 East Tiffany Drive Mangonia Park, FL 33407

Re: Conveyance of Escheated Parcels to Town of Mangonia Park

Dear Mr. Metcalf:

Please be advised that the following property has escheated to Palm Beach County. Pursuant to Florida Statutes Section 197.592(3), staff intends to submit an agenda item to the Palm Beach County Board of County Commissioners to approve the conveyance of title to the Town of Mangonia Park for the following listed property.

PCN#

44-43-43-05-10-000-0070

<u>ADDRESS</u>

West Ct

Please contact Della M. Lowery at <u>dlowery@pbcgov.org</u> or (561) 233-0239 if you have any questions. Upon approval, the County will record the quit claim deed and send you the original document.

Sincerely,

Purvi A. Bhogaita

Director

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