#: 6B2

Agenda Item #:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	January 23, 2024	[] Consent [] Ordinance	[X] Regular [] Public Hearing
Department:	Facilities Development & Opera	ations	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest lying within a 3-foot-wide strip of land located north of the Blue Heron Bridge to the State of Florida Department of Transportation pursuant to Section 125.38, Florida Statutes, at no cost and without reservation of mineral and petroleum rights; and

B) approve a County Deed in favor of State of Florida Department of Transportation.

Summary: In November 1972, the County and the Florida Department of Transportation (FDOT) jointly acquired interest within a 3-foot-wide bulkhead area lying under the Blue Heron Bridge and adjacent to the Lake Worth Lagoon (Bulkhead Parcel) pursuant to an Order of Taking recorded in ORB 2081, Page 63 of the Public Records of Palm Beach County, Florida. Maintenance responsibilities of the Bulkhead Parcel have always been provided by FDOT. The Bulkhead Parcel is not needed for County purposes. As such, the County's Engineering and Public Works Department concurs with the conveyance. The Bulkhead Parcel is being conveyed to FDOT pursuant to Section 125.38, Florida Statutes, at no cost and without reservation of mineral and petroleum rights. There are no closing costs associated with this conveyance. This conveyance must be approved by a Supermajority Vote (5 Commissioners). (Property & Real Estate Management) District 7 (HJF)

Background & Policy Issues: This conveyance will relieve the County of potential liability for occurrences on the property and any maintenance obligations. The specific intent of the conveyance is to release and quitclaim any interest in the Bulkhead Parcel arising pursuant to the Order of Taking, recorded in ORB 2081, Page 63 of the Public Records of Palm Beach County, Florida.

Attachments:

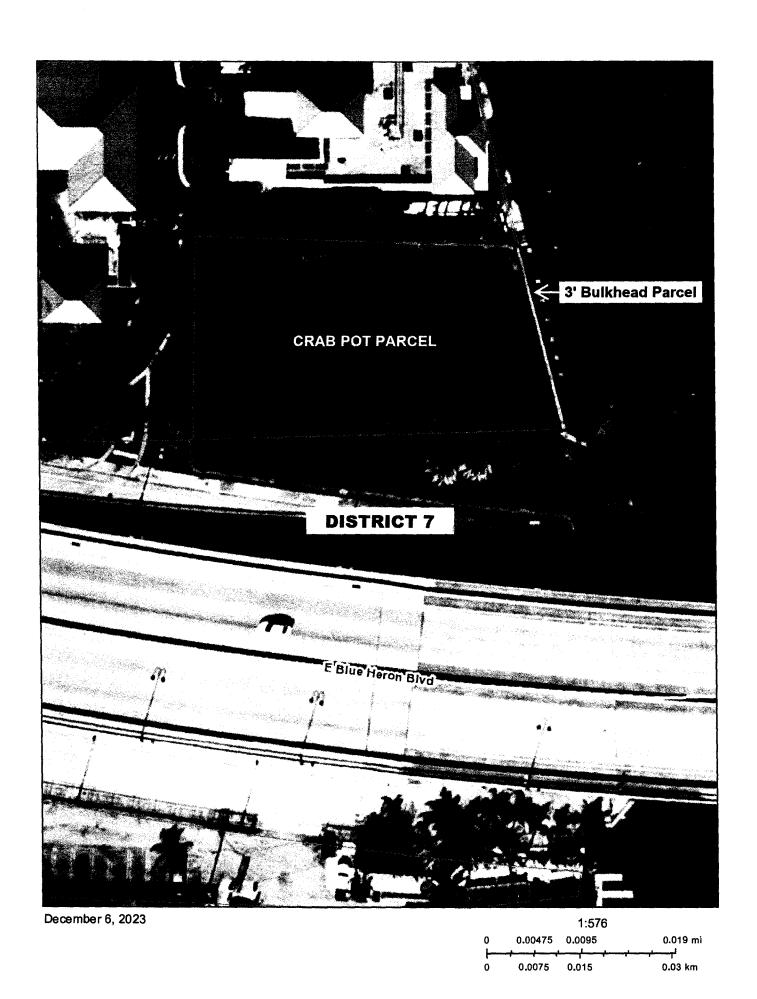
- 1. Location Map
- 2. Resolution (with Exhibit "A")
- 3. County Deed (with Exhibit "A")

Recommended By:	Jenou! l'ayal (ello)	12/13/23
٠ ٧	Department Director	Date /
Approved By:	Chaken	13/21/23
	County Administrator	Date /

II. FISCAL IMPACT ANALYSIS

A.	Five Year Summary of Fisc	al Impact:				
Fisca	l Years	2024	2025	2026	2027	2028
Oper Exter Progr	tal Expenditures rating Costs rnal Revenues ram Income (County) ind Match (County					
NET	FISCAL IMPACT	-\$0-	-\$0-	<u>-\$0-</u>	<u>-\$0-</u>	-50-
	DITIONAL FTE ITIONS (Cumulative)				woods of the state	physical distribution and the second
	Is item included in Current	Budget:	Yes _	No	X	
	Does this item include the u	se of federal f	unds? Yes _	No	<u>X</u>	
	Does this item include the u	se of state fun	ds? Yes _	No	<u>x</u>	
В.	Recommended Sources of F	unds/Summa	ry of Fiscal In	ıpact:		
	No Fiscal Impact)			
	Fixed Assets Numbers n/a	1/		, ,		
C.	Departmental Fiscal Review		m Africa			Desa Mas
		III. <u>REV</u>	EW COMME	INTS PE	r FDO ocqued	Asset Deview
A .	OFMB Fiscal and/or Control OFMB A 1915	act Developm - 12 18 2	.023	•	Decolor	FAMO, OFMB 12412123
В.	Legal Sufficiency:	1 12	,			V
	Assistant County Attorney	1/10/	124			
C.	Other Department Review	:				
	David Rick	Dig Woman Die				
	Engineering Department Dir	ector				
77:						

LOCATION MAP



Attachment 1

Attachment 2

Resolution w/Exhibit A (5 pages)

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION **PURSUANT FLORIDA** (FDOT), TO SECTION 125.38, WITHOUT CHARGE WITHOUT MINERAL AND PETROLEUM RIGHTS RESERVATION; AND **PROVIDING FOR** EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation (FDOT) has made application to the Board of County Commissioners of Palm Beach County requesting that Palm Beach County convey its interest in a 3 foot wide strip of bulkhead area located north of the Blue Heron Bridge acquired by FDOT and County jointly by a Order of Taking recorded in Official Records Book 2081, Page 63, of the Public Records of Palm Beach County, in order to resolve ownership and maintenance responsibilities; and

WHEREAS, the Board of County Commissioners of Palm Beach County hereby finds that such bulkhead is not needed for County purposes and the conveyance to the FDOT is in the community interest and welfare; and

WHEREAS, the FDOT has requested that such property be conveyed without reservation of phosphate, mineral, metals and petroleum rights; and

WHEREAS, the Board of County Commissioners of Palm Beach County hereby agrees to convey such property without reserving 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 Convey Real Property

The Board of County Commissioners of Palm Beach County shall convey to the

FDOT without charge and by County 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 Resolut	ation shall be effective immediately upon ad	loption
hereof.		
The foregoing resolution was o	offered by Commissioner	who
moved its adoption. The Motion was	seconded by Commissioner	, and
upon being put to a vote, the vote was	s as follows:	
Commissioner, M Commissioner G	Aichael A. Barnett Aarci Woodward ara Baxter	
The Mayor thereupon declared of, 20	I the resolution duly passed and adopted this _	day
	PALM BEACH COUNTY, a political subdivision of the State of Florida JOSEPH ABRUZZO CLERK OF THE CIRCUIT COURT & COMPTROLLER By: Deputy Clerk	_
APPROVED AS TO LEGAL SUFFICIENCY By: Assistant County Attorney	APPROVED AS TO TERMS AND CONDITIONS By: Department Director	

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EXHIBIT "A" COUNTY DEED

Parcel No.
Item/Segment No.

104 228962-1

Section:

93080-2506

Managing District: S.R. No.

Four A-1-A

County:

Palm Beach

COUNTY DEED

THIS DEED Made this ______ day of ______, 20_____, by PALM BEACH COUNTY, a political subdivision of the State of Florida, (hereinafter, "the County") whose address is: 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, Grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Grantee: (Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors, and assigns of organizations).

WITNESSETH: That the Grantor, for and in consideration of the sum of \$1.00 and other valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in Palm Beach County Florida, viz:

(Legal description attached hereto and made a part hereof as Exhibit "A" (the "Property")

This County Deed intends to specifically release and convey any and all interests which the County may have in the property. Said property was acquired by the County pursuant to the Order of Taking, recorded in ORB 2081, Page 63 and Final Judgment recorded in ORB 2284, PG 397 of the Public Records of Palm Beach County, Florida.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

IN WITNESS WHEREOF, the said Grantor 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:	Grantor:
JOSEPH ABRUZZO Clerk of the Circuit Court and Comptroller	PALM BEACH COUNTY, a political subdivision of the State of Florida
By: Deputy Clerk	By: Maria Sachs, Mayor
APPROVED AS TO LEGAL SUFFICIENCY	
D _{1.0}	(OFFICIAL SEAL)
By:County Attorney	

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EXHIBIT "A" PROPERTY

PARCEL NO. 104

A 3 foot wide strip of land over through and across a parcel of land in GOVERNMENT Lot 3, Section 28, Township 42 South, Range 43 East, said 3 foot wide strip of land lying Westerly of and abutting the Town of Riviera Beach Bulkhead line as recorded in Plat Book 27, at Page 142 in the Public Records of Palm Beach County, Florida; bounded on the South by the North Right of Way line of State Road A-1-A (Blue Heron Boulevard) and bounded on the North by a line 552.56 feet Southerly of and parallel to the North line of said GOVERNMENT Lot 3.

Attachment 3

County Deed w/Exhibit A (3 pages)

This instrument prepared under the direction of: Elizabeth S. Quintana, Esq.

District Four Assistant General Counsel

Parcel No. 104
Item/Segment No. 228962-1
Section: 93080-2506
Managing District: Four
S.R. No. A-1-A

County:

Palm Beach

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JOSEPH ABRUZZO Clerk of the Circuit Court and Comptroller	PALM BEACH COUNTY, a political subdivision of the State of Florida
By: Deputy Clerk	By:Maria Sachs, Mayor
APPROVED AS TO LEGAL SUFFICIENCY	
By: County Attorney	(OFFICIAL SEAL)

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