

SURPLUS LANDS EXECUTIVE SUMMARY

PROJECT: C-23A
COUNTY: St. Lucie
SIZE: 0.02 acres more or less
APPLICANT: John P. Haggerty

HIGHLIGHTS: The applicant requests release of that portion of the C-23A Canal right of way easement encumbering a portion his property located in Section 22, Township 37 South, Range 40 East, known as Lot 19, Bay St. Lucie Subdivision. Staff recommends approval of this request.

CONSIDERATIONS: John P. Haggerty, the underlying fee owner ("Applicant"), requests that the District release its right of way easement to correct the current encroachment of his pool and pool enclosure into the right of way due to builder error. When Applicant became aware of the builder's error, he contacted the District's Right of Way Division to inquire as to how he could remedy the encroachment. The strip of right of way to be released is approximately four (4') foot x one hundred fifty (150') foot and contains 0.02± acres. Request was routed to the following departments with no objection: Watershed Management, Regulation, Field Operations, Environmental Resources, Land Management, Operations and Maintenance, Land Acquisition, Water Supply, Engineering and Construction, Office of Counsel, and the Martin/St. Lucie Service Center.

FISCAL IMPACT: Applicant paid a \$1,000 application fee and a \$1,200 appraisal fee (both non-refundable) and will pay the appraised value of the easement and all associated costs. The District acquired the easement for this reach of the canal in December 1958 at a cost of \$6,078 for 18.70± acres.

AUTHORIZATION: Pursuant to Section 373.096, Florida Statutes, the Governing Board of the District may release any easement, reservation or right-of-way interest, conveyed to it for which it has no present or apparent future use under terms and conditions determined by the Board.

RECOMMENDATION: A Resolution of the Governing Board of the South Florida Water Management District to approve the partial release of canal right of way easement, C-23A Canal, containing 0.02 acres, more or less, to the underlying fee owner, in Section 22, Township 37 South, Range 40 East, Lot 19, Bay St. Lucie Subdivision, according to the plat thereof recorded in Plat Book 25, Page 38, St. Lucie County, Florida, subject to satisfaction of certain terms, conditions and requirements; providing an effective date.

Prepared by: _____ Date _____
Carla T. Segura
Sr. Closing Specialist, Title and Closing Section

Reviewed by: _____ Date _____
Marcy Zehnder
Manager, Title and Closing Section

Reviewed by:: _____ Date _____
Ruth P. Clements
Department Director
Land Acquisition and Land Management

Approved by: _____ Date _____
Kenneth G. Ammon, P.E.
Deputy Executive Director
Everglades Restoration Resource Area

Conflict Check: John P. Haggerty