

City of Palm Coast, Florida

Agenda Item

Agenda Date: February 6, 2024

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: RESOLUTION 2024-XX APPROVING A JOINT MAINTENANCE EASEMENT AGREEMENT WITH THE SEMINOLE PALMS COMMUNITY DEVELOPMENT DISTRICT (CDD)		
Presenter: Virginia Smith, Land Management Administrator and Carl Cote, Director of Stormwater & Engineering		
Attachments: 1. Resolution 2. Joint Maintenance Easement Agreement		
Background: This is a legislative item. The City and Kolter Group Acquisitions, LLC ("Kolter") previously entered into the Seminole Palms Impact Fee Prepayment, Citation Boulevard Extension and Land Exchange Agreement, dated on or about October 29, 2021. Kolter assigned certain rights and obligations in the Land Exchange Agreement to the Seminole Palms Community Development District (District) by virtue of the Assignment of Rights Agreement dated April 25, 2022. The rights and obligations in the Land Exchange Agreement assigned to the District include, <i>inter alia</i>, the obligation to undertake construction of an extension of Citation Boulevard (Citation Extension Improvements). The City and the District entered into an Interlocal Agreement regarding Citation Boulevard Extension, which the District accepted an assignment of, generally stated, all of the City rights and obligations for the solicitation and construction of the Citation Extension Improvements pursuant to the Land Exchange Agreement. The Citation Extension Improvements are being constructed on certain real property owned by the City as more particularly described in the attached Easement Agreement. After the completion of construction, the City will be the owner of and responsible for the maintenance of the Citation Extension Improvements. However, the District desires the right to perform maintenance and repairs within the Easement Area to provide a higher level of maintenance service for portions of the Citation Extension Improvements at the District's cost.		
Recommended Action: ADOPT RESOLUTION 2024-XX APPROVING A JOINT MAINTENANCE EASEMENT AGREEMENT WITH THE SEMINOLE PALMS COMMUNITY DEVELOPMENT DISTRICT (CDD)		