

	STAFF REPORT
	Regular City Commission Meeting
	February 13, 2025
To:	Elected Officials
From:	Drew Smith, City Attorney
Date:	January 28, 2025
Item Name:	Acceptance of dedicated infrastructure.

Background: On January 31, 2007, the City entered into a Settlement Agreement with Flagler County, the City of Palm Coast, and the Gardens at Hammock Beach Property Owners Association (the “Settlement Agreement”). The Settlement Agreement resolved disputes between the parties related to provision of water and sewer services and the project then known as “The Gardens” and now known as “Veranda Bay” was included in the City’s service area. As part of the settlement agreement, the Gardens at Hammock Beach Property Owners Association agreed to transfer certain water and sewer infrastructure to the City upon completion.

The successor in interest to Gardens at Hammock Beach Property Owners Association is Gardens at Hammock Beach Community Development District (the “CDD”). On August 2, 2024, the CDD recorded a Specialty Warranty Deed to transfer the subject infrastructure which is attached to this agenda item City staff have reviewed the infrastructure being dedicated to the City and has no concerns regarding its acceptance.

This infrastructure discussed herein is related to that portion of the development already approved by Flagler County and under construction and this acceptance has no relationship to the annexation and development discussions with Veranda Bay.

The City Commission is requested to approve acceptance of the Specialty Warranty Deed attached hereto as Exhibit “A” and authorize the Mayor to sign the formal acceptance of same attached hereto as Exhibit “B.”

Fiscal Impact: The Finance Director will file form DR-504 with the County Property Appraiser to exempt the two parcels from Ad Valorem taxes.

Staff Recommendation: Accept the conveyance and authorize Mayor to sign Exhibit “B”

Attachments: Special Warranty Deed and Acknowledgement and acceptance.