



155 F Road Loxahatchee Groves, FL 33470

TO: Town Council of Town of Loxahatchee Groves

FROM: Jeff Kurtz, Project Manager

VIA: Francine Ramaglia, Town Manager

DATE: July 1, 2025

SUBJECT: Discussion of Sheltering Palms Foundation's Request for Release of a Conservation Easement on their Property

Background:

The Town has received an offer to release a conservation easement on property located off of E Road. The offer from the owner is as follows:

The Board for Sheltering Palms Foundation has agreed to a \$150,000 payment to the town for the release of the conservation easement on the Track 47 Block D 20-acre parcel on E Road (PCN: 41-41-43-17-01-447-0010).

The property is located immediately west of 1300 D Road. The property was once owned by the current owners of 1300 D Road. The County had established a conservation easement a two-acre portion of the property. The conservation easement was located on the south eastern portion of the property. The present owner of the property, Sheltering Palms Foundation, acquired the property through a foreclosure on the property. They had made a loan to the former owner of the property. Prior to Sheltering Palms Foundation loaning the money to their predecessor in title, the former owner had denuded the conservation easement and their no longer exists even a remnant of the plantings that had existed. At the time Sheltering Palms Foundation had made the loan to the former owner they had not done a sufficient title search on the property to recognize there was a conservation easement or code enforcement lien attached to the property. The code enforcement lien had to do with a code violation on the adjacent 1300 D property, but it attached to the Sheltering Palms Foundation property because at the time of the violation both properties were under a common ownership. At the time of the loan the Sheltering Palms Foundation property had been transferred to different but related entity to the owner of 1300 D Road.

Sheltering Palms Foundation does not bear responsibility for the denuding of the conservation easement, but as the current owners of the property they are the affected party. The property is



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currently on the market for just under 3 million dollars. The offers they have received for the 20 acres have been approximately 20% below the asking price. The existence of the conservation easement and code enforcement lien are affecting the marketability of the property. The owner would like to resolve the issues and move forward. It is staff's opinion that the offer of \$150,000 is less than it would cost the owner to re-establish the conservation area. The owner does not want to re-establish the area. Monitoring of the re-establishment of the area would be difficult for the Town and take a great deal of time. The conservation easement does not grant access to the easement area to the public. It may be advantageous to the Town to accept money in exchange for the release of the easement and use the received funds to acquire or protect an area that already has mature planting to preserve and maintain.

The owner's representative has met with most of the Council members individually to explain the situation and is requesting Council direction on the offer, so that if it is rejected or a counteroffer made, he can take that information back to the Sheltering Palms Foundation. Sheltering Palms Foundation is a charitable foundation. Their representative will be available by zoom to discuss the issue with Council at the July 1st meeting.

Staff is still in the process of evaluating the other conservation easements received by the Town from the County.

Recommendation:

Town Council review and direction with respect to the offer from Sheltering Palms Foundation.