



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.19.

7/9/2024

Subject:

Approval, Re: Notice and Sale of Surplus Real Property, Identified as Tax Parcel I.D. Number 23-36-22-00-766, by Private Sale Process to an Adjacent Property Owner - District 2.

Fiscal Impact:

According to the Brevard County Property Appraiser's records, Parcel ID #23-36-22-00-766 has a 2023 market value of \$1,250.

Dept/Office:

Central Services/Asset Management

Requested Action:

Request the Board of County Commissioners:

- 1) authorize the County Manager or his designee to send notice of the County's intent to sell Parcel ID Number 23-36-22-00-766 to all adjacent property owners; and
- 2) approve the private sale of County surplus property identified as Tax Parcel I.D. Number 23-36-22-00-766; and
- 3) authorize the County Manager or his designee to negotiate the terms of the private sale pursuant to Section 2-243(b), Brevard County Code of Ordinances; and
- 4) accept a Stormwater Storage Easement over the entire transfer parcel; and
- 5) authorize the County Manager to sign any and all necessary documents to affect the sale.

Summary Explanation and Background:

The subject property, Parcel ID #23-36-22-766, is a vacant containing approximately 0.11-acre parcel located in Section 22, Township 23 South, Range 36 East, on the east side of North Courtenay Parkway in Merritt Island. It was acquired in September 1990 as part of the widening project of North Courtenay Parkway. The Natural Resources Department has utilized the parcel as a stormwater storage area, and they have no objections to the sale, provided an easement over the entire parcel is reserved.

Section 125.35(2), Florida Statutes and Section 2-243, Brevard County Code of Ordinances, when the Board of County Commissioners ("Board") finds that a parcel of real property is of insufficient size and shape to be issued a building permit for any development to be constructed on the property or when the Board finds that the value of a parcel of real property is \$15,000 or less, as determined by a fee appraiser designated by the Board or as determined by the county property appraiser, and when, due to the size, shape, location, and value of the parcel, it is determined by the Board that the parcel is of use only to one or more adjacent property owners, the Board may effect a private sale of the parcel. The Board may, after sending notice of its intended action to owners of adjacent property by certified mail, effect a sale and conveyance of the parcel at private sale without receiving bids or publishing notice; however, within 10 working days after receiving such

mailed notice two or more owners of adjacent property notify the Board of their desire to purchase the parcel, the Board shall accept sealed bids for the parcel from such property owners and may convey such parcel to the highest bidder or may reject all offers.

An adjacent parcel owner contacted Brevard County to request the possible purchase of the subject parcel. Adding this parcel would create a more uniform square to the requestor's existing parcel. According to the Brevard County Property Appraiser's website, the subject parcel is vacant, contains approximately 0.11 acres, and has a value of \$1,250.00.

Public Works, the custodial department, approves this request.

This sale of surplus property follows the policies and procedures set forth in Section 125.35(2), Florida Statutes, and Section 2-243 Brevard County Code of Ordinances.

Clerk to the Board Instructions:



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

July 10, 2024

MEMORANDUM

TO: Kathy Wall, Central Services Director

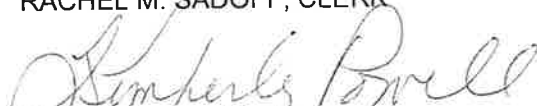
RE: Item F.19., Approval for Notice and Sale of Surplus Real Property, Identified as Tax Parcel I.D. Number 23-36-22-00-766, by Private Sale Process to an Adjacent Property Owner

The Board of County Commissioners, in regular session on July 9, 2024, authorized the County Manager, or his designee, to send notice of the County's intent to sell Parcel I.D. Number 23-36-22-00-766 to all adjacent property owners; adopted Resolution No. 24-060, authorizing the conveyance of real property interest to adjacent property owner; approved the private sale of County surplus property identified as Tax Parcel I.D. Number 23-36-22-00-766; authorized the County Manager, or his designee, to negotiate the terms of the private sale, pursuant to Section 2-243(b), Brevard County Code of Ordinances; accepted a Stormwater Storage Easement over the entire transfer parcel; and authorized the County Manager to sign any and all necessary documents to affect the sale. Enclosed is the fully-executed Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: County Attorney
County Manager
Asset Management
Finance
Budget

RESOLUTION NO. 2024 -060

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF REAL PROPERTY
INTEREST TO ADJACENT PROPERTY OWNER PURSUANT TO
SECTION 125.35 FLORIDA STATES AND SECTION 2-243 BREVARD COUNTY CODE**

WHEREAS, Brevard County, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, hereafter known as the COUNTY, acquired certain real property in September 1990; and

WHEREAS, said parcel is approximately 0.11-acres and is described and depicted in Exhibit A (hereinafter the "parcel"); and

WHEREAS, the parcel described above is located in Section 22, Township 23 South, Range 36 East, on the east side of North Courtenay Parkway in Merritt Island; and

WHEREAS, Section 125.35, Florida Statutes and Section 2-243, Brevard County Code of Ordinances permits the County to approve a private sale of a parcel of real property when the Board of County Commissioners finds that (1) the parcel is of insufficient size and shape to be issued a building permit for any development to be constructed on the property; or (2) the value of the parcel is \$15,000 or less, as determined by a fee appraiser designated by the board or as determined by the county property appraiser; and (3) the size, shape location, and value of the parcel would make it of use only to one or more adjacent property owners; and

WHEREAS, the Brevard County Property Appraiser has assessed the 2023 market value of the property at \$1,250; and

WHEREAS, the Land Acquisition Section of the Public Works Department has vetted the property with other County departments, and the Natural Resources Management Department requires that a stormwater storage easement be retained over the entire area.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA finds as follows:

1. The foregoing recitations are true and correct and, by this reference, incorporated;
2. The Parcel, as described in Exhibit "A," is of insufficient size and shape to be issued a building permit for any development to be constructed on the property, and the Brevard Property Appraiser has assessed the market value of the property at \$1,200, which is under the \$15,000 threshold at Section 2-243, Brevard County Code of Ordinances; and the size, shape, location, and value of the parcel would make it of use only to one or more adjacent property owners.
3. The County Manager, or designee, is authorized to negotiate the terms of the private sale and shall send notice of the county's intent to sell the parcel to the

adjacent property owners, using the procedures laid out in Section 125.35, Florida Statutes and Section 2-243, Brevard County Code of Ordinances.

4. The County will record a stormwater storage easement on Parcel ID #23-36-22—00-766.
5. Upon negotiation of terms pursuant to Section 125.35, Florida Statutes, and Section 2-243, Brevard County Code of Ordinances, the County Manager is authorized to sign the necessary documents to effect the sale.
6. The purchaser must pay all closing costs associated with the sale of the parcel, including, but not limited to, any title search, title insurance, documentary tax stamp, ad valorem taxes, recording fees, and fees for document preparation.

DONE, ORDERED, and ADOPTED, in regular session, this 9 day of July, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Rachel Sadoff, Clerk



Jason Steele, Chair

As approved by the Board on JUL 09 2024

Exhibit "A"

Brevard County Property Appraiser Parcel 23-36-22-00-766

A parcel of land being a portion of those lands described in Official Records Book 3083, Page 3245 of the public records of Brevard County and being located within Section 22, Township 23 South Range 36 East and being particularly described as follows:

The easterly 160.00 feet of said lands described in Official Records Book 3083, Page 3245, containing 4375 square feet (0.10 acres), more or less.

EXHIBIT A CONTINUED

APPROXIMATE AREA OF THE LEGAL DESCRIPTION (FOR VISUAL PURPOSES ONLY)

