



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.20.

7/11/2023

Subject:

Conveyance of Property Acquired by Tax Escheatment Deed on Parcel ID 24-36-32-00-766 to the City of Cocoa (District 2)

Fiscal Impact:

This fiscal impact of the conveyance of this property is estimated to be less than \$50 for recording fees.

Dept/Office:

Central Services/Asset Management

Requested Action:

It is requested the Board of County Commissioners:

1. Adopt a Resolution pursuant to Section 125.38, Florida Statutes to convey Parcel ID 24-36-32-00-766 acquired by tax escheatment deed to the municipal jurisdiction (City of Cocoa) where the property is located as required by Section 197.592(3), Florida Statutes; and
2. Authorize the Chair to execute the county deed to convey Parcel ID 24-36-32-00-766 acquired by tax escheatment deed to the municipal jurisdiction (City of Cocoa) where the property is located as required by Section 197.592(3), Florida Statutes, upon review and approval by the County Attorney's Office.

Summary Explanation and Background:

The Clerk of Courts periodically conveys property, pursuant to Section 197.592, Florida Statutes to the County through a tax escheatment deed, for delinquent taxes. Property acquired by the County through the tax escheatment deed, which hasn't been previously sold, acquired for infill housing, dedicated by the Board, or the Board has determined is not conveyed to the record fee simple owner in accordance with Sections 197.592(1) and 197.592(2), Florida Statutes; and the property is located within a municipality, the Board shall convey to the governing board of the municipality which the property is located.

The City of Cocoa will be using this parcel for its affordable housing program.

Clerk to the Board Instructions:



July 12, 2023

MEMORANDUM

TO: Kathy Wall, Central Services Director

RE: Item F.20., Conveyance of Property Acquired by Tax Escheatment Deed on Parcel ID 24-36-32-00-766 to the City of Cocoa

The Board of County Commissioners, in regular session on July 11, 2023, executed and adopted Resolution No. 23-058 pursuant to Section 125.38, Florida Statutes to convey Parcel ID 24-36-32-00-766 acquired by tax escheatment deed to the municipal jurisdiction (City of Cocoa) where the property is located as required by Section 197.592(3), Florida Statutes; and executed the County deed conveying Parcel ID 24-36-32-00-766 acquired by tax escheatment deed to the municipal jurisdiction (City of Cocoa) where the property is located as required by Section 197.592(3), Florida Statutes, upon approval by the County Attorney's Office. Enclosed is fully-executed Resolution and Deed.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

/sm

Encls.(2)

cc: County Manager
County Attorney
Asset Management
Finance
Budget

RESOLUTION NO. 2023 - 058

A RESOLUTION PURSUANT TO SECTION 125.38, FLORIDA STATUTES (2022)
AUTHORIZING THE TRANSFER OF INTEREST IN COUNTY PROPERTY, AND
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, certain real property (hereinafter "Property") described in Exhibit "A" is located within the municipal boundaries of the City of Cocoa (hereinafter "City"); and

WHEREAS, the Property escheated to Brevard County, Florida (hereinafter "County") for nonpayment of taxes pursuant to the tax certificates/tax deeds sale procedures set forth in Chapter 197, Florida Statutes; and

WHEREAS, when property located within municipal boundaries escheats to a county, Section 197.592(3), Florida Statutes, mandates the county to convey it to the city unless either the county has a designated use for the property, or the county sells it back to the prior owner; and

WHEREAS, there are no petitions from the prior owners to repurchase the Property pursuant to Section 197.592(1), Florida Statutes, and the County has no use for the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, that:

1. The foregoing recitals are incorporated herein and adopted as part of this Resolution.
2. The County has determined that the Property described in Exhibit "A" is not needed for County purposes and authorizes the conveyance of the Property to the City for nominal consideration pursuant to Section 197.592(3), Florida Statutes. This Resolution shall take effect immediately.

DONE, ORDERED, and ADOPTED in Regular Session this 11 day of July 2023.

ATTEST:


Rachel M. Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: 

Rita Pritchett, Chair

(As approved by the Board on JUL 11 2023)

DR-506 R 04/16
Rule 12D-16.002
Florida Administrative Code
Eff 04/16

Tax Deed File Number: 160955
Parcel ID Number: 2424159
Formerly Assessed E & B ENTERPRISES LLC

ESCHEATMENT TAX DEED

Brevard County, Florida

For official use only

Tax Certificate Numbered 2010/5436 issued on MAY 28, 2010, was filed in the office of the tax collector of Brevard County, Florida. An application has been made for the issuance of a tax deed. This Tax Deed is issued according to Section 197.502(8), Florida Statutes. Three years have passed since the day the land was offered for public sale and placed on the list of "lands available for taxes" without being purchased (Section 197.502(7), F.S.). The property has escheated to the County free and clear of any and all tax certificates, tax liens or any other liens of record, including governmental liens. These liens are canceled under Section 197.502(8), F.S.

On the APRIL 30, 2021, the clerk conveys property located at 727 BERNARD ST COCOA to Board of County Commissioners PO BOX 1496, TITUSVILLE, FL 32781-1496 Brevard County through its Board of County Commissioners, with all inherited property, buildings, fixtures and improvements of any kind and description, the following

Description of lands.

24 363200 766
727 BERNARD ST
COCOA
PART OF NE 1/4 OF SE 1/4 AS DES
IN DB 314 PG 571

Witnesses

J MUTTER

Rachel M. Sadoff,
Clerk of Courts,
BREVARD COUNTY, FLORIDA

CHRIS SHARPE

By: Brandi Barton
Brandi Barton, Deputy Clerk

Brevard County, Florida

On this APRIL 30, 2021 before me personally appeared Brandi Barton, Deputy Clerk of the Circuit Court of County Comptroller in and for the State and this County known to me to be the person described in, and who executed the forgoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned.

Witness my hand and official seal date aforesaid

Deputy Clerk, per FS 695 03792-56
Rachel M. Sadoff, Clerk
Brevard County, Florida

Ketur Asbury



Clerk's Certificate

STATE OF FLORIDA
COUNTY OF BREVARD

TAX DEED FILE NO. 160955

Rachel M. Sadoff

Clerk of Courts

BE IT KNOWN THAT I, Clerk of the Circuit Court in and for the COUNTY OF BREVARD, STATE OF FLORIDA, DO HEREBY CERTIFY that I did on 05/08/2017 mail a copy of the statutory warning and the attached notice, addressed to the following as required by law [FLA Statutes, CH. 197 522(1)]

70160340000077596609	E & B ENTERPRISES LLC, 246 LIME ST, COCOA, FL 32926-4141
70160340000077596616	E & B ENTERPRISES LLC, 727 BERNARD ST, COCOA, FL 32922-7103
70160340000077596593	CITY OF COCOA, 65 STONE ST, COCOA, FL 32922
70160340000077596586	CITY OF COCOA CODE ENFORCEMENT BOARD, 65 STONE ST, COCOA, FL 32922
70160340000077596562	ALWAYS BY THE NUMBERS INC, REGISTERED AGENT, 350 TANGERINE AVE STE 1, MERRITT ISLAND, FL 32953-4783
70160340000077596647	FREDDIE L RANDOLPH SR, 416 ROOSEVELT AVE, MERRITT ISLAND, FL 32953-4367
70160340000077596623	ELISHA J BRYANT III, 246 LIME ST, COCOA, FL 32926-4141
70160340000077596630	FREDDIE J BRYANT, 727 BERNARD ST, COCOA, FL 32922-7103
70160340000077596579	ALWAYS BY THE NUMBERS INC, REGISTERED AGENT, 727 BERNARD ST, COCOA, FL 32922-7103

I HEREBY CERTIFY that in addition to the mailing the statutory notices and warnings I did provide the following as required for service by law [FLA Statutes, CH 197 522(2)]

8 Sheriff of BREVARD County, copies of the notice of statutory warning for personal service and mailing, or posting

0 Sheriff of County, copies of the notice and statutory warning for personal service and mailing

WITNESS MY HAND AND SEAL AT TITUSVILLE, IN THE COUNTY AND STATE AFORESAID, ON 4/30/2021

Rachel M. Sadoff

Clerk of Courts

CLERK OF THE CIRCUIT COURT

BY

Keta Asbury
KETA ASBURY, DEPUTY CLERK

Prepared by:
Office of the County Attorney
2725 Judge Fran Jamieson Way, C-308
Viera, Florida 32940
Parcel ID: 24-36-32-00-766

COUNTY DEED

THIS DEED, made this ____ day of _____, 2023 by **BREVARD COUNTY**, a charter county and political subdivision of the State of Florida, hereinafter the First Party, whose address is 2725 Judge Fran Jamieson Way, Building C, Viera, Florida, 32940, and the City of Cocoa, a municipal corporation organized and existing under the laws of the State of Florida, whose address is 65 Stone Street, Cocoa Florida 32922, hereinafter the Second Party;

WITNESSETH that First Party, for and in consideration of the sum of \$10.00 to it in hand paid by the Second Party, receipt whereof is hereby acknowledged, has granted, bargained and sold to the Second Party, his heirs and assigns forever, the following described land at 727 Bernard Street, Cocoa, lying and being in Brevard County, Florida, as follows:


Description of lands.

24 363200 766
727 BERNARD ST
COCOA
PART OF NE ¼ OF SE ¼ AS DES
IN DB 314 PG 571

As further described in the attached Exhibit "A," attached and incorporated by this reference. TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and together with all riparian and littoral rights appertaining thereto, and all interests in subsurface oil, gas, and minerals pursuant to section 270.11(2) and (3), Florida Statutes.

IN WITNESS WHEREOF, the said First Party has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair of said Board, the day and year aforesaid.

ATTEST:


Rachel M. Sadoff, Clerk

**BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA**

By: 

Rita Pritchett, Chair
(as approved by the Board: JUL 11 2023)

EXHIBIT "A"

For a Point of Beginning run South $0^{\circ}03'30''$ West 354.6 feet; thence South $89^{\circ}43'30''$ West 461.0 feet from the Northeast corner of the Northeast quarter of the Southeast quarter of Section 32, Township 24 South, Range 36, Tallahassee Meridian, Florida; thence run South $0^{\circ}03'30''$ West 115.26 feet; thence East 50.0 feet; thence North $0^{\circ}03'30''$ East 115.6 feet; thence South $89^{\circ}43'30''$ West 50.00 feet to the Point of Beginning. The above described tract being Lot 5 of unrecorded plat of Henry Knight Subdivision.