



AGENDA REPORT
February 26, 2019

Conveyance of property acquired by tax escheatment deed

SUBJECT:

Conveyance of property acquired by tax escheatment deed to municipalities.

FISCAL IMPACT:

Recording fees

Fund 0001 / CC 200500 / GL 5340000

DEPT/OFFICE:

Central Services

REQUESTED ACTION:

It is requested that the Board adopt a resolution pursuant to Section 125.38, Florida Statutes and authorize the Chairman to execute county deeds to convey property acquired by tax escheatment deed to the jurisdictional municipality as required by Section 197.592(3), Florida Statutes.

SUMMARY EXPLANATION and BACKGROUND:

The Clerk periodically conveys property to the County via a tax certificate escheatment deed pursuant to the tax certificate/tax deed sale procedures set forth in Chapter 197, Florida Statutes. When property located within municipal boundaries escheats to the County for nonpayment of taxes, the County is mandated to convey the property to the municipality unless the Board sells it back to the prior owner or has a designated use for the property. Section 197.592(3), F.S.

Two such properties have been identified for mandatory conveyance to the applicable municipality. Staff has reviewed each property and determined there is no designated county use for any parcels. There are no petitions from prior record owners to repurchase the properties pursuant to Section 197.592(1) and (2), F.S.

CLERK TO THE BOARD INSTRUCTIONS:

Please return executed originals to Asset Management for recording.

ATTACHMENTS:

Description

▯ **Deed_Resolution**



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

February 27, 2019

MEMORANDUM

TO: Leslie Rothering, Interim Central Services Director

RE: Item F.17., Resolution and Deed for Conveyance of Property Acquired by Tax Escheatment

The Board of County Commissioners, in regular session on February 26, 2019, adopted Resolution No. 19-025; and approved and authorized the Chair to execute County Deed with City of Palm Bay to convey property, Tax Account Nos. 2843441 and 2843382, acquired by tax escheatment deed to the jurisdictional municipality as required by Section 197.592(3), Florida Statutes. Enclosed are fully-executed Resolution and County Deed.

Upon recordation, please return fully-executed copies of each document to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encls. (2)

cc: Asset Management
Finance
Budget

Prepared by: Christine Valliere, Esq.
Office of the County Attorney
2725 Judge Fran Jamieson Way, C-308
Viera, Florida 32940
Parcel ID: 28-37-33-KA-14-14 and 28-37-33-KA-12-83

COUNTY DEED

THIS DEED, made this 26 day of FEB., 2019 by **BREVARD COUNTY**, a charter county and political subdivision of the State of Florida, Grantor, whose address is 2725 Judge Fran Jamieson Way, Bldg C., Viera, Florida, 32940, and the City of **PALM BAY**, a municipal corporation organized and existing under the laws of the State of Florida, whose address is 120 Malabar Road SE, Palm Bay 32907.

WITNESSETH that Grantor, for and in consideration of the sum of \$10.00 to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his heirs and assigns forever, parcels of land being legally described as follows:

PARCEL 1:

TWP-28 RGE-37 SC-33 SB-KA BLK-14 LOT 14
PORT MALABAR HOLIDAY PARK UNIT 1
LOT 14 BLK 14
PLAT BOOK 0022, PAGE 0125
TAX ACCOUNT: 2843441

PARCEL 2:


TWP-28 RGE-37 SC-33 SB-KA BLK-12 LOT 83
PORT MALABAR HOLIDAY PARK UNIT 1
LOT 83 BLK 12
PLAT BOOK 0022, PAGE 0125
TAX ACCOUNT: 2843382

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman and said Board, the day and year aforesaid.

State of Florida
County of Brevard

ATTEST:



Scott Ellis, Clerk to the Board

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

By: _____


Kristine Isnardi, Chair

As approved by Board 2/26/19

RESOLUTION NO. 2019-025

A RESOLUTION PURSUANT TO SECTION 125.38, FLORIDA STATUTES (2018), AUTHORIZING THE TRANSFER OF INTEREST IN COUNTY PROPERTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, certain real properties (hereinafter "Properties") described in Exhibits "A-1 and A-2" are located within the municipal boundaries of the City of Palm Bay (hereinafter "City"); and

WHEREAS, the Properties 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 Properties pursuant to Section 197.592(1), Florida Statutes.

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

1. The County has determined that the Properties described in Exhibits "A-1 and A-2" are not needed for County purposes.
2. The County hereby authorizes the conveyance of the Properties to the City.
3. This resolution shall take effect immediately.

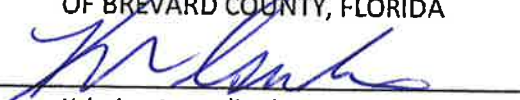
DONE, ORDERED and ADOPTED in Regular Session this 26 day of Feb. 2019.

ATTEST:



Scott Ellis, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Kristine Isnardi, Chair

(As approved by the Board on 2/26/19)

DR-508 R. 04/18
Rule 12D-16.002
Florida Administrative Code
Eff. 04/18

Tax Deed File Number: 140444
Parcel ID Number: 2843441
Formerly Assessed: NINA J WOLFF ESTATE C/O RONNIE WAYNE POWELL

ESCHEATMENT TAX DEED

Brevard County, Florida

For official use only

Tax Certificate Numbered 201210251 issued on May 31, 2012, 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 197.602(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 197.602(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 197.602(8), F.S.

On the 31st day of July, 2018, the clerk conveys property located at 171 Holiday Park Blvd NE Palm Bay, FL 32907 to Board of County Commissioners PO BOX 1498, TITUSVILLE, FL 32781-1498 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

TWP-28 RQ-37 SC-33 SB-KA BLK-14 LOT-14
PORT MALABAR HOLIDAY PARK UNIT 1
LOT 14 BLK 14
PLAT BOOK 0022 PAGE 0125

Witnesses

Mogen Spangler
F. McCloud Felicia McCloud

SCOTT ELLIS,
Clerk of Courts,
BREVARD COUNTY, FLORIDA

By KETA ASBURY, Deputy

Brevard County, Florida

On this 31st day of July, 2018 before me personally appeared KETA ASBURY, Deputy Clerk of the Circuit Court or County Comptroller in and for the State and this County known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own act and deed for the use and purposes therein mentioned.

Witness my hand and official seal date aforesaid.

Deputy Clerk, per F.S. 696.03(2) to
Scott Ellis, Clerk
Brevard County, Florida

A. GUITAR

STATE OF FLORIDA
COUNTY OF BREVARD

Clerk's Certificate

TAX DEED FILE NO: 140444

BE IT KNOWN THAT I, SCOTT ELLIS, Clerk of the Circuit Court in and for the COUNTY OF BREVARD, STATE OF FLORIDA, DO HEREBY CERTIFY that I did on 04/29/2016 mail a copy of the statutory warning and the attached notice, addressed to the following as required by law [FLA Statutes, CH 197.622(1)]

70133020000214151053

70133020000214151046

70133020000214151008

70133020000214151077

70133020000214150886

70133020000214150888

70133020000214151060

70133020000214151022

70133020000214151039

70133020000214151015

NINA J WOLFF ESTATE C/O RONNIE WAYNE POWELL, 548 WINDSWEPT AVE SW, PALM BAY, FL 32908-7473
NINA J POWELL AND KENNITH L POWELL WIFE AND HUSBAND, 171 HOLIDAY PARK BLVD NE, PALM BAY, FL 32907-2158
FLOYD E WOLFF, 2445 PEPPER AVE, MELBOURNE, FL 32935-2752
RONNIE WAYNE POWELL, 548 WINDSWEPT AVE SW, PALM BAY, FL 32908-7473
DENNIS F FAIRBANKS RE: NINA J WOLFF ESTATE, 3420 N HARBOR CITY BLVD, MELBOURNE, FL 32935-6743
CITY OF PALM BAY ATTN: LIENS OFFICE, 120 MALABAR RD SE, PALM BAY, FL 32907-3008
NINA J WOLFF ESTATE C/O RONNIE WAYNE POWELL, 171 HOLIDAY PARK BLVD NE, PALM BAY, FL 32907-2158
INA GROUP LLC, 1201 N ST STE 102, LINCOLN, NE 68508-2008
MATHON INVESTMENTS, 8770 SW 72ND ST STE 531, MIAMI, FL 33173-3512
HENRY LANDIS & ELIZABETH K LANDIS, 35 MARTIN CT, HAVANA, FL 32333-4724

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. 197.622(2)]

- 4 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 7/31/2016

SCOTT ELLIS

CLERK OF THE CIRCUIT COURT

BY:

KETA ASBURY, DEPUTY CLERK



DR-508 R 04/18
Rule 12D-18.002
Florida Administrative Code
ER 04/18

Tax Deed File Number: 140443
Parcel ID Number: 2843382
Formerly Assessed: TARPON IV LLC

ESCHEATMENT TAX DEED

Brevard County, Florida

For official use only

Tax Certificate Numbered 201210248 issued on May 31, 2012, 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 31st day of July, 2018, the clerk conveys property located at 220 Blossom Ln NE Palm Bay, FL 32907 to Board of County Commissioners P.O. BOX 1498, TITUSVILLE, FL 32781-1498 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

TWP-28 RG-37 SC-33 BB-KA BLK-12 LOT-83
PORT MALABAR HOLIDAY PARK UNIT 1
LOT 83 BLK 12
PLAT BOOK 0022 PAGE 0125

Witnesses:

Mogan Spangler

Mogan Spangler

Felicia McCloud

Felicia McCloud

SCOTT ELLIS,
Clerk of Courts,
BREVARD COUNTY, FLORIDA

By

Keta Asbury

KETA ASBURY, Deputy Clerk

Brevard County, Florida

On this 31st day of July, 2018 before me personally appeared KETA ASBURY, Deputy Clerk of the Circuit Court or County Comptroller in and for the State and this County known to me to be the person described in and who executed the foregoing instrument, and acknowledged the execution of the instrument to be his free act and deed for the use and purposes therein mentioned.

Witness my hand and official seal date aforesaid

Deputy Clerk, per F.B. 885.03/02.50
Scott Ellis, Clerk
Brevard County, Florida

A. GUITAR

STATE OF FLORIDA
COUNTY OF BREVARD

Clerk's Certificate

TAX DEED FILE NO: 140443

BE IT KNOWN THAT I, SCOTT ELLIS, Clerk of the Circuit Court in and for the COUNTY OF BREVARD, STATE OF FLORIDA, DO HEREBY CERTIFY that I did on 04/29/2016 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)]

70133020000214150857	TARPON IV LLC, 18305 BISCAYNE BLVD STE 400, AVENTURA, FL 33180-2172
70133020000214150871	TARPON IV LLC, PO BOX 100738, ATLANTA, GA 30384-0738
70133020000214150819	CITY OF PALM BAY ATTN: LIENS OFFICE, 120 MALABAR RD SE, PALM BAY, FL 32907-3008
70133020000214150884	TARPON IV LLC, 220 BLOSSOM LN NE, PALM BAY, FL 32907-2112
70133020000214150928	INA GROUP LLC, 1201 N ST STE 102, LINCOLN, NE 68508-2008
70133020000214150933	MATHON INVESTMENTS, 8770 SW 72ND ST STE 102, MIAMI, FL 33173-3512
70133020000214150940	SIGMA TAX 1 GP, 18305 BISCAYNE BLVD STE 400, AVENTURA, FL 33180-2172

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)].

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

2 Sheriff of DADE 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
7/31/2018

SCOTT ELLIS
CLERK OF THE CIRCUIT COURT

BY: 
KETA ASBURY, DEPUTY

