



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.4.

2/8/2022

Subject:

Conveyance of property acquired by tax escheatment deed to municipalities; City of Melbourne (District 3).

Fiscal Impact:

Recording fees estimated at less than 25.00

Dept/Office:

Central Services

Requested Action:

It is requested the Board of County Commissioners:

- Adopt a resolution pursuant to Section 125.38, Florida Statutes to convey property acquired by tax escheatment deed to the jurisdictional municipality as required by Section 197.592(3), Florida Statutes; and
- Authorize the Chair 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, upon review and approval by the County Attorney's Office.

Summary Explanation and Background:

The Clerk periodically conveys property to the County via 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), Florida Statutes.

One such property has been identified for mandatory conveyance to the applicable municipality. Staff has reviewed the 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), Florida Statutes.

The property is located at 910 Brothers Ave., Melbourne, FL 32905. The parcel has an assessed value (as assessed by the Brevard County Property Appraiser Parcel Tax ID 2818192 and Parcel ID 28-37-03-77-* -19) of \$6,000 and is 0.08 acres in size.

Clerk to the Board Instructions:

Please return executed originals to Asset Management for recording.



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

February 9, 2022

MEMORANDUM

TO: Merrill Vincent, Asset Management Manager

RE: Item F.4., Conveyance of Property Acquired by Tax Escheatment Deed to Municipalities;
City of Melbourne

The Board of County Commissioners, in regular session on February 8, 2022, adopted Resolution No. 2022-007, pursuant to Section 125.38, Florida Statutes, to convey property acquired by tax escheatment deed to the jurisdictional municipality as required by Section 197.592(3), Florida Statutes; and authorized the Chair to execute the County Deed to convey property acquired by tax escheatment deed to the jurisdictional municipality – City of Melbourne, as required by Section 197.592(3), Florida Statutes, upon review and approval by the County Attorney's Office. Enclosed is a fully-executed Resolution and a fully-executed Deed.

Upon recordation, please return a copy of the Deed to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script that reads "Kimberly Powell".

Kimberly Powell, Clerk to the Board

/sm

Encls: (2)

cc: Central Services
County Attorney
Finance
Budget

RESOLUTION NO. 2022-007

A RESOLUTION PURSUANT TO SECTION 125.38, FLORIDA STATUTES (2021),
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 Melbourne (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 8 day of February,
2022.

ATTEST:


Rachel Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: 

Kristine Zonka, Chair

(As approved by the Board on 2/8/22)

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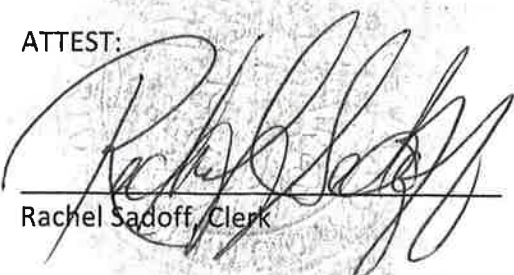
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Rachel Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


By: Kristine Zonka, Chair

(As approved by the Board on 2/8/22)

Prepared by: Christine M. Schverak
Office of the County Attorney
2725 Judge Fran Jamieson Way, C-308
Viera, Florida 32940
Parcel ID: 28-37-03-77-*-19

COUNTY DEED

THIS DEED, made this ____ day of _____, 2022 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 Melbourne, a municipal corporation organized and existing under the laws of the State of Florida, whose address is 900 East Strawbridge Avenue, Melbourne, Florida 32901, 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 910 Brothers Avenue, Melbourne, lying and being in Brevard County, Florida, as follows:

TWP-28 RG-37 SC-03 SB-77 Blk-Lot 19

METCALF'S UNRECORDED PLAT OF WRIGHT BROTHERS TRACT,

SECTION 3, TOWNSHIP 28 SOUTH, RANGE 37 EAST, MELBOURNE, FLORIDA

LOT 19 AS DESCRIBED IN BREVARD COUNTY OFFICIAL DEED BOOK 2, PAGE 501

AND ALSO AS DESCRIBED IN DEED BOOK Y, PAGE 228

EXCLUDING THE EAST 60 FEET AND THE WEST 85 FEET OF LOT 19

AS DESCRIBED IN BREVARD COUNTY OFFICIAL DEED BOOK 2, PAGE 501

AND ALSO AS DESCRIBED IN DEED BOOK Y, PAGE 228

BREVARD COUNTY TAX ACCOUNT: 2818192

BREVARD COUNTY PARCEL ID: 28-37-03-77-*-19

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(3), Florida Statutes.

(Signature Page Follows)

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 Sadoff, Clerk

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



By: _____
Kristine Zonka, Chair
(as approved by the Board: 2/8/22)

Exhibit A

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

Tax Deed File Number: **160963**
Parcel ID Number: **2818192**
Formerly Assessed: **EQUIFUNDING X**

CFN 202111684, OR BK 9106 PAGE 1300,
Recorded 04/30/2021 at 03:37 PM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:2

ESCHEATMENT TAX DEED

Brevard County, Florida

For official use only

Tax Certificate Numbered **2010/16254** 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 clears 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 **910 BROTHERS AVE MELBOURNE** 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:

28 370377 19
910 BROTHERS AVE
METCAFLS UNREC PLAT OF WRIGHT
MELBOURNE LOT 19 AS DES IN DB 2
PG 501 EX E 60 FT & W 85 FT OF
LOT 19 AS DES IN DB 2 PG 501

Witnesses: Brandi Barton **Brandi Barton**

Chris Sharpe **CHRIS SHARPE**

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

By: J. Mutter **J. MUTTER, Deputy Clerk**



Brevard County, Florida

On this **April 30, 2021** before me personally appeared **Jennifer Mutter**, 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 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:

Keta Ashbury
Deputy Clerk, per F.S. 695.03/02.50
Rachel M. Sadoff, Clerk
Brevard County, Florida

STATE OF FLORIDA
COUNTY OF BREVARD

Clerk's Certificate

TAX DEED FILE NO: 160963

Rachel M. Sadoff

BE IT KNOWN THAT I, Clerk of Courts, 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)]

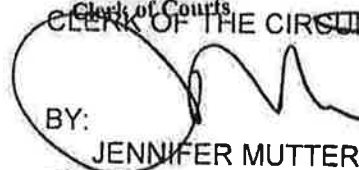
70160340000077597156	EQUIFUNDING X, PO BOX 980, EAST LANSING, MI 48826-0980
70160340000077597149	EQUIFUNDING X, 910 BROTHERS AVE, MELBOURNE, FL 32901-5517
70160340000077597132	CITY OF MELBOURNE, 900 E STRAWBRIDGE AVE, MELBOURNE, FL 32901-4779
70160340000077597170	EQUIFUNDING X AS AGENT FOR EQUIFUNDING INC, PO BOX 980, EAST LANSING, MI 48826-0980
70160340000077597163	EQUIFUNDING X AS AGENT FOR EQUIFUNDING INC, 910 BROTHERS AVE, MELBOURNE, FL 32901-5517


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)].

<u>4</u>	Sheriff of BREVARD County, copies of the notice of statutory warning for personal service and mailing, or posting.
<u>0</u>	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:  JENNIFER MUTTER, DEPUTY CLERK





Brevard County Property Appraiser

Titusville • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account	2818192
Owners	BREVARD COUNTY
Mailing Address	345 WENNER WAY C/O ASSET MANAGEMENT COCOA FL 32926
Site Address	910 BROTHERS AVE MELBOURNE FL 32901
Parcel ID	28-37-03-77-*19
Property Use	0007 - VACANT RESIDENTIAL LAND (MULTI-FAMILY, PLATTED)
Exemptions	EXLT - LANDS AVAILABLE FOR TAXES
Taxing District	34K0 - MELBOURNE
Total Acres	0.08
Subdivision	METCALFS UNREC PLAT OF WRIGHT BROTHERS TRACT
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Land Description	METCALFS UNREC PLAT OF WRIGHT BROTHERS TRACT LOT 19 AS DESC IN TAX DB 2 PG 501 EX E 60 FT & W 85 FT OF LOT 19 AS DESC IN TAX DB 2 PG 501



VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$6,000	\$5,000	\$5,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$5,320	\$4,840	\$4,400
Assessed Value School	\$6,000	\$5,000	\$5,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$5,320	\$4,840	\$4,400
Taxable Value Non-School	\$0	\$0	\$0
Taxable Value School	\$0	\$0	\$0

SALES/TRANSFERS

Date	Price	Type	Instrument
04/30/2021	--	XD	9106/1300
04/10/2009	\$5,300	XD	5945/2114
01/26/1980	--	PT	2218/0497
01/26/1980	--	--	2218/0495

No Data Found