



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Add-On

J.2.

5/27/2021

Subject:

Offers of settlement submitted by Obloys

Fiscal Impact:

Dependent on Board action. Rejection of offer has no new fiscal impact.

Dept/Office:

County Attorney's Office

Requested Action:

None unless the Board decides to accept the offer or provide a counter offer.

Summary Explanation and Background:

The Obloys have been cited for numerous code enforcement violations as a result of an agritourism business they operate in North Merritt Island. In addition, the County and the Obloys (through the Bambino Land Trust) each also hold an undivided 50% interest in an 80-acre parcel near the agritourism business. Lawsuits have been filed by both parties against the other. The County is a defendant in a statutory way of necessity case wherein the Obloys are seeking access to the 80-acre parcel. The County also filed a complaint in Circuit Court against the Obloys last week seeking to enforce the code enforcement liens via a money judgment. The Obloys have offered to settle both cases. The offer is that the Obloys will exchange their undivided 50% interest in the 80-acre parcel for parcels the County owns closer to Smith Road (See map). The Obloys would also pay the County \$110,000. The liens the County seeks to enforce are above \$172,000. The offer does not address the ongoing issues at 165 Gator Drive known as Obloy Family Ranch, but seeks to release all liens against this parcel. The staff does not recommend acceptance of the offer. However, since there are no Board meetings between 05/27 and the expected closing on the property at 165 Gator Drive in June, the offer is being reported to the Board for informational purposes. Of course, the Board could take action if it chooses to do so. The Board should be aware that if the owner of 165 Gator Drive comes into compliance with the code, the owner may seek a reduction of the code enforcement liens.

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

May 28, 2021

M E M O R A N D U M

TO: Eden Bentley, County Attorney

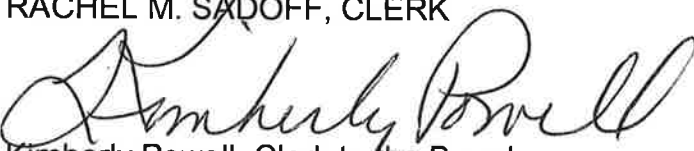
RE: Item J.2., Offers of Settlement Submitted by the Obloys

The Board of County Commissioners, in regular session on May 27, 2021, took no action on the offers of settlement submitted by the Obloys.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/cld

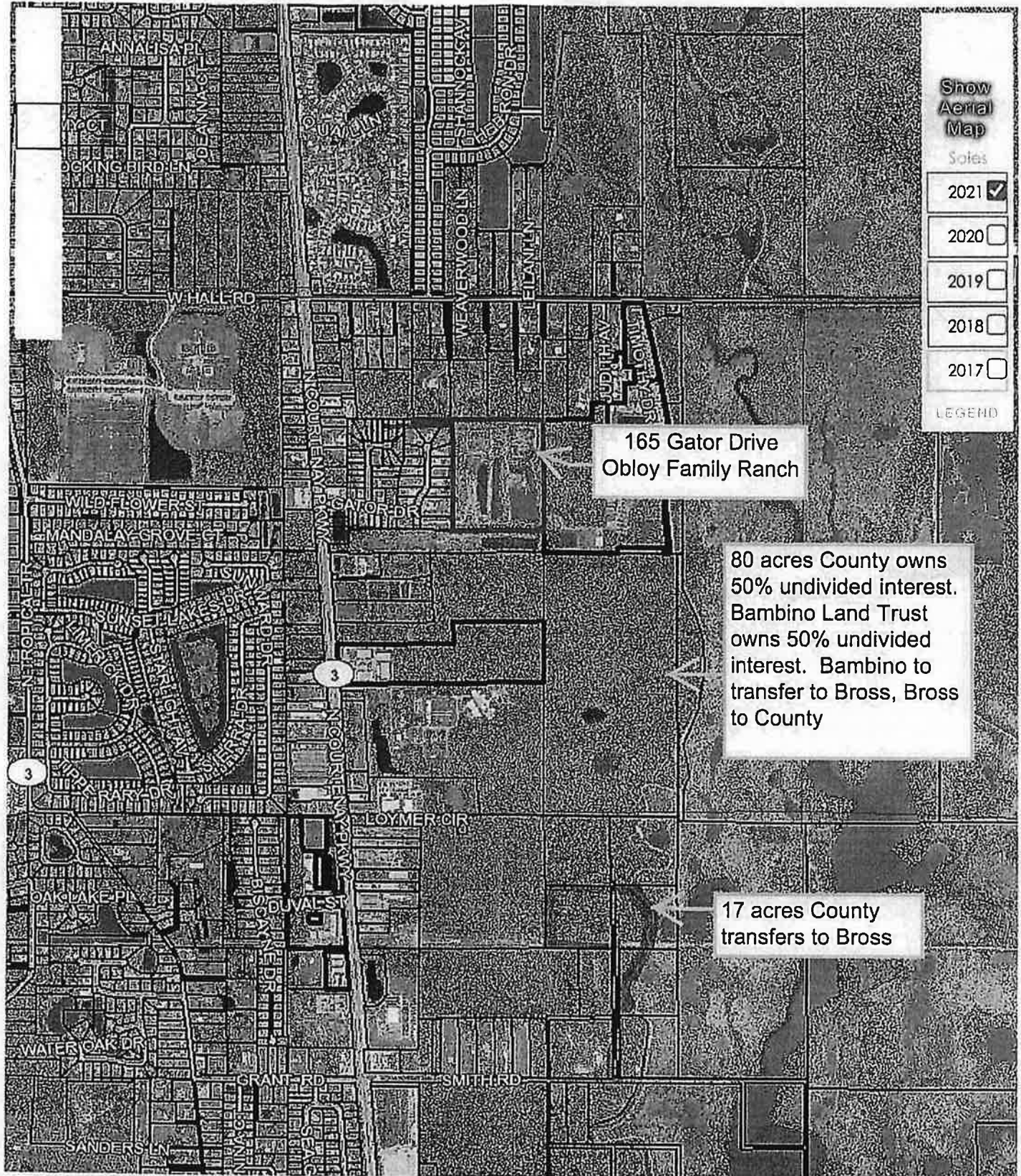
Bayne, Jessica

Subject: FW: Phone call

From: paul bross <brosspaul@gmail.com>
Sent: Wednesday, May 26, 2021 1:30 PM
To: Esseesse, Alexander <Alexander.Esseesse@brevardfl.gov>
Subject: Re: Phone call

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

1. Obloys will deed 1/2 interest 40 acres to AMB
2. AMB will swap for the aforementioned 17.9 acres, Limit to mainly recreation.
 - A. Deeded Ingress and Egress for Alexander Boat etc. ramp etc.
 - B. We want to build a boat dock possibly like Alexander's maybe a cabin and a place to park an RV . We are going to use land for primarily recreation, but AMB wants the option and the deed restrictions not too restrictive just in case he loves it and wants a house with no more than 1 home per 3 acres, which is consistent (more restrictive) with other houses on Smith Road and more restrictive than current zoning.
 - C. No Cruise parking, petting zoos, or similar activity with commercial impact.
 - D. No other major impacts.
 - E. I am working on getting the Title Company to hold the fine money in escrow from the sale of the Property(can we agree on an amount, not sure of amount) until we hopefully get 2 weeks publication for the swap of the land.
3. We will do notice for land swap as required county
4. Obloys will be allowed to close JUne 18th, and the County will have a lien on the 40 acres, and the Title Company will hold 110K in Trust until we resolve these issues, which will hopefully be the COunty agreeing to the land swap and the fine reduction to 110K. Board can vote on it in July or August hopefully and approve the same, land swap will be with AMB, Obloys out of it



Account: 24T0517 Parcel ID: 24-36-02-00-275
 Sale: 3/26/2015 \$300,000
 BCPAO Market Value: \$203,480
 Owners: OBLOY, ERIC, OBLOY, AMANDA
 Address: 165 GATOR DR, MERRITT ISLAND, FL 32753

Zoom | Clear | Details | EagleView | Hide Info

BCPAO Dana Blickley, CFA, Brevard County Property Appraiser | Instructions | Disclaimer