



AGENDA REPORT
March 12, 2019

**Approval Re: Non-Acceptance of Property Conveyed to Brevard County
from Saraland, LLC - District 5.**

SUBJECT:

Approval Re: Non-Acceptance of Property Conveyed to Brevard County from Saraland, LLC - District 5.

FISCAL IMPACT:

Fiscal Impact: FY 2018 - 2019: No Impact
FY 2019 - 2020: No Impact

DEPT/OFFICE:

Public Works

REQUESTED ACTION:

Approve and authorize the Chairman to execute a Quit Claim Deed and Notice of Nonacceptance.

SUMMARY EXPLANATION and BACKGROUND:

The subject parcel is located in Section 32, Township 28, Range 37.

In 2018, staff discovered that a Quit Claim Deed purporting to convey property located within the City of Palm Bay to the County had been recorded without the County's knowledge, approval, or acceptance; recorded in Brevard County Clerk of Courts Official Records Book 8111, Page 2643.

The grantor was contacted and admitted they had not approached staff regarding the conveyance or otherwise obtained County approval or acceptance.

There is more than \$30,000 in tax certificates issued against the property and the 2018 tax bill is \$2,263.33. The property is a vacant mobile home lot in Holiday Park.

Approval and acceptance is required to complete the offer of a property conveyance to the County.

Since the deed has been recorded without the County's knowledge, a Notice of Nonacceptance must be recorded in the public record to disclaim ownership and rebut any presumption of a valid conveyance. Also, a Quit Claim Deed should be recorded returning the property and rights granted to the County back to Saraland, LLC, the original owners.

CLERK TO THE BOARD INSTRUCTIONS:

Return original executed Quit Claim Deed, original executed Notice of Nonacceptance and

Board approval memo to the Department.

ATTACHMENTS:

Description

- ▯ **Saraland, LLC Agenda Documents**

BOARD OF COUNTY COMMISSIONERS

AGENDA: NONACCEPTANCE OF QUIT-CLAIM DEED FOR PROPERTY DEEDED FROM SARALAND, LLC IN FAVOR OF BREVARD COUNTY - DISTRICT 5

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT
PHONE: 321-690-6847 (52886)

REVIEW

APPROVE

DISAPPROVE DATE

LAND ACQUISITION
Daniel P. Jones, Supervisor

DPJ

3/4/19

COUNTY ATTORNEY
Christine Valliere,
Assistant County Attorney

CV

3/4/19

AGENDA DUE DATE: March 5, 2019 for the March 12, 2019 Board Meeting

IF ANY REVIEWING OFFICE HAS QUESTIONS OR CONCERNS REGARDING THIS PACKAGE, PLEASE ADVISE AGENCY CONTACT IMMEDIATELY.

PLEASE CALL DEBBIE CRUZ AT 690-6847 (56847) WHEN READY TO BE PICKED UP.

THANK YOU.



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

March 13, 2019

M E M O R A N D U M

TO: Corrina Gumm, Interim Public Works Director

RE: Item F.4., Approval of Non-Acceptance of Property Conveyed to Brevard County for Saraland, LLC

The Board of County Commissioners, in regular session on March 12, 2019, authorized the Chair to execute Quit Claim Deed and Notice of Non-Acceptance for Saraland, LLC for a parcel in Section 32, Township 28, Range 37. Enclosed is a fully-executed copy of the Quit Claim Deed and the Notice of Non-Acceptance for your action.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/cmw

Encls. (2)

cc: Asset Management

Prepared by: Christine Valliere, Assistant County Attorney
Office of the County Attorney, 2725 Judge Fran Jamieson Way, C-308
Viera, Florida 32940 (321-690-3090)
Tax I.D. #28-37-32-KA-4-5

QUIT CLAIM DEED

THIS DEED, made this 12 day of March, 2019 by **BREVARD COUNTY**, a political subdivision of the State of Florida, as the Grantor, whose address is 2725 Judge Fran Jamieson Way, Bldg. C., Viera, Florida, 32940, and **SARALAND, LLC**, a Florida limited liability company ("Grantee"), whose post office address is 1663 Georgia Street N.E. Suite 200 Palm Bay, FL 32907;

WITNESSETH that the 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, their heirs and assigns forever, a parcel of land having the physical address of and being legally described as follows:

Lot 5, Block 4, Port Malabar Holiday Park Unit 1, a Subdivision according to the Plat thereof, recorded in Plat Book 22, Page 125, Public Records of Brevard County, Florida.
Property Address: 1232 Willow Ct. N.E. Palm Bay, FL 32907

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 Chair and said Board, the day and year aforesaid.

State: Florida
County: Brevard

ATTEST:



Scott Ellis, Clerk to the Board

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

By: 

Kristine Isnardi, Chair

Board Meeting Date: 3/12/19
Item #: F.4.

Date: March 12, 2019

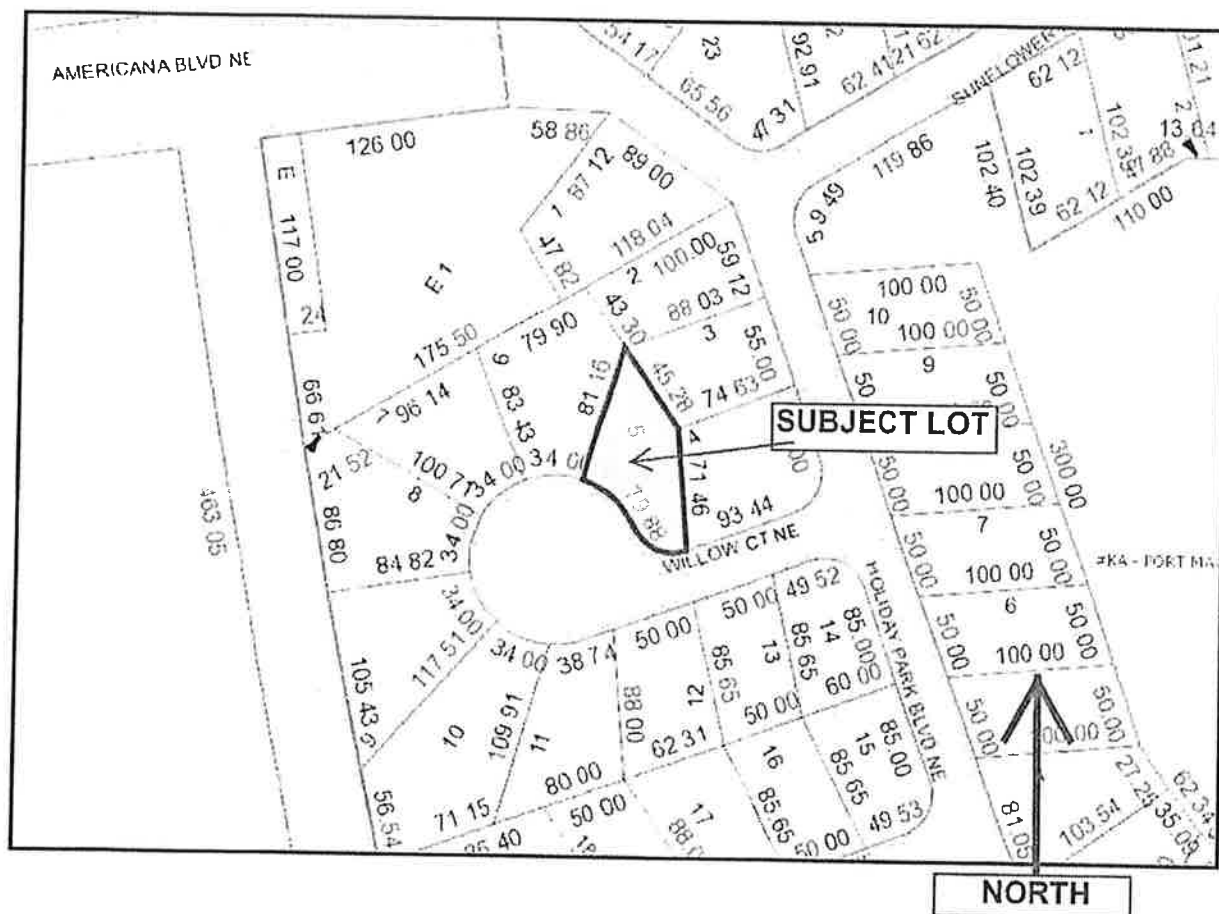
LOCATION MAP

SEC: 32 TWP: 28 RNG: 37

SUBDIVISION: PORT MALABAR HOLIDAY PARK, UNIT 1

STREET NAME: 1232 WILLOW COURT

OWNER'S NAME: BREVARD COUNTY



NOTICE OF NONACCEPTANCE

Brevard County, Florida, a political subdivision of the State of Florida hereby provides notice that the property described in the quit claim deed recorded at Official Records Book 8111 Page 2643, Public Records of Brevard County, Florida was not delivered to or accepted by the Board of County Commissioners Brevard County, Florida at any time. The Board of County Commissioners, Brevard County, Florida rejects any and all interests attempted to be transferred by Official Records Book 8111 Page 2643, Public Records of Brevard County, Florida.

ATTEST:



Scott Ellis, Clerk to the Board

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

By: 

Kristine Isnardi, Chair

Date: March 12, 2019

As approved by the Board on 3/12/19
Agenda Item # F.4.