



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.14.

11/12/2019

Subject:

Approve Sale of Surplus Property by Private Sale

Fiscal Impact:

FY 19/20 Revenue from the sale of the property less administrative fees and advertising will be placed into the General Fund 0001-R30086-3650000 and the parcel will be re-inserted into the tax roll.

Dept/Office:

Central Services Department

Requested Action:

It is requested that the Board of County Commissioners approve the private sale of a surplus parcel of property pursuant to Florida Statute 125.35 (2).

It is also requested that the Board accept the highest of two bids received in the amount of \$6,260.00 and authorize the chair to execute all necessary documents upon review from the County Attorney's Office.

Summary Explanation and Background:

On July 9, 2019, the Board of County Commissioners approved the disposal of surplus parcel ID 24-35-21-00-786, Tax ID 2406825, a .18 strip of property located off Adamson Road, in Cocoa by private sale. The parcel is currently assessed by the Brevard County Property Appraiser at \$1,550.00 and was conveyed to the County by Tax Deed on November 3, 2006.

Brevard County Ordinance Section 2-243 (a), Sale of real property by private sale to adjacent property owners, provides for a private sale when the Board finds: (1) the parcel of real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property; or (2) The value of the parcel of real property is \$15,000 or less, as determined by a fee appraiser designated by the board or as determined by the county property appraiser; and (3) The size, shape, location and value of the parcel would make it of use only to one or more adjacent property owners. (d) In the event two or more adjacent property owners notify the county manager or designee of their desire to purchase the parcel, the county manager or designee must notify the adjacent property owners by certified mail, return receipt requested, and require the submission of sealed bids.

Notices were sent by certified mail with return receipt to adjacent property owners of the County's intent to sell and two property owners responded with interest in purchasing the parcel causing a sealed bidding process. Notification and bid packages were sent certified return receipt mail; two bids were received in the amounts of \$525.00 and \$6,260.00. The Board of County Commissioners must approve the sale of the parcel to the highest bidder, or may reject all offers.

It is recommended that the Board of County Commissioners approve the sale of surplus parcel ID 24-35-21-00-786, Tax ID 2406825 to high bidder Krystina and Kevin Eliason in the amount of \$6,260.00 and execute all

279

documents.

Clerk to the Board Instructions:



BOARD OF COUNTY COMMISSIONERS

Asset Management
345 Wenner Way
Cocoa, FL 32926

Inter-Office Memo

TO: Christine Valliere, Asst. County Attorney

FROM: Merrill Vincent, Asset Manager 

SUBJECT: APPROVAL FOR LEGAL CONTENT REVISED DEED

DATE: January 31, 2020

The Board of County Commissioners, in regular session on November 12, 2019, approved the private sale of parcel 24-35-21-00-786 to Krystina and Kevin Eliason, in the amount of \$6,260.00. The Board also authorized the Chairman to execute all necessary documents.

Attached is a copy of the deed conveying the property to Krystina and Kevin Eliason. Please review, sign, and return back to me stating that this deed has been approved as to form and legal content. I will get the necessary signatures and record the document.

Thank you.

Approved as To Form and Legal Content

February 3, 2020



ASSISTANT COUNTY ATTORNEY



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

November 13, 2019

MEMORANDUM

TO: Steve Darling, Central Services Director

RE: Item F.14., Approval for Sale of Surplus Property by Private Sale

The Board of County Commissioners, in regular session on **November 12, 2019**, approved the private sale of a surplus parcel of property pursuant to Florida Statute 125.35(2); accepted the higher of two bids received in the amount of \$6,260; and authorized the Chair to execute all necessary documents upon review by the County Attorney.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

cc: County Attorney
Budget
Finance

RECEIVED

NOV 18 2019

BREVARD COUNTY
PURCHASING SERVICES

Prepared by:
Brevard County Asset Management
345 Wenner Way
Cocoa, FL 32926

RE: Parcel I.D. 24-35-21-00-786
Tax Account #2406825

**COUNTY DEED
(STATUTORY FORM - SECTION 125.411, F.S.)**

THIS INDENTURE, made this 13 day of Feb., 2020, between **BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida**, whose address is 345 Wenner Way, Cocoa, Florida 32926, party of the first part, and **Krystina and Kevin Eliason**, wife and husband, address is 2010 Snelling Ave. N., Roseville, Minnesota, 55113, party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten Dollars, 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, its successors and assigns forever, the following described land situate, lying and being in Brevard County, Florida to wit:

Legal Description: Parcel of land on Adamson Road known as **Property Appraiser's Parcel Identification Number: 24-35-21-00-786.**

S 30 Ft Of N 1/2 Of SE 1/4 Of NE 1/4 Of Ne 1/4 Of Se 1/4 Ex E 75 Ft

This deed conveys only the interest of Brevard County, Florida, and shall not be deemed to warrant title or to represent any state of facts concerning the same. Brevard County does not guarantee access to the above-described property, nor does it guarantee that permits may be obtained for construction on same.

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 or Vice-Chairman of said Board, the day and year aforesaid.

BOARD OF COUNTY COMMISSIONERS,
BREVARD COUNTY, FLORIDA

By: Bryan Andrew Lober
Bryan Lober, Chair
Board of County Commissioners
Brevard County, Florida

As approved by the Board on Nov. 12, 2019

Attest: Scott Ellis
Scott Ellis, Clerk



**AS-IS CONTRACT FOR SALE AND PURCHASE
ATTACHMENT A**

Seller: Board of County Commissioners, Brevard County, Florida
2725 Judge Fran Jamieson Way, Viera, Florida, 32940

Buyer: Krystina and Kevin Ellason

Legal description of property being transferred: 24-35-21-00-786

Tax Account: 2406825

The transfer shall be made pursuant to the following terms and conditions and the Standards for Real Estate Transactions, attached to this contract.

Purchase price: \$6250.00

Deposit: \$62.50 (one percent of the Buyer's bid) shall be paid to an escrow account established and held by the Brevard County Clerk, such deposit to be applied to the purchase price.

Time for acceptance of offer; effective date; facsimile: If this offer is not executed by and delivered to all parties OR FACT OF EXECUTION communicated in writing between the parties on or before ~~November 11, 2019~~ December 12, 2019, the deposit(s) will, at Seller's option, be returned and this offer withdrawn. The date of Contract ("Effective Date") will be the date when the last one of the Buyer and Seller has signed this offer. A facsimile copy of this Contract and any signatures hereon shall be considered for all purposes as originals. 

Title evidence: At least 15 days before closing date, Seller shall, at Seller's expense, deliver to Buyer or Buyer's attorney or Buyer may at Buyer's option obtain a title search and/or title insurance commitment (with legible copies of instruments listed as exceptions attached thereto) and, after closing, an owner's policy of title insurance.

Closing Date: This transaction shall be closed and the deed and other closing papers delivered within 90 days of the effective date of this contract, unless modified by other provisions of this Contract. [FDEP will have to approve the survey due to the mean high water lines. This will take additional time.]

Warranties: The following warranties are made and shall survive closing.

- a. SELLER warrants that there are no parties in occupancy other than Seller.
- b. SELLER hereby represents and warrants to the BUYER that SELLER has not engaged or dealt with any agent, broker or finder, in regard to this Agreement or to the sale and purchase of the property contemplated hereby.

Inspections: (a) BUYER shall have 30 days from Effective Date ("Inspection Period") within which to have such inspections of the Property performed as Buyer shall desire; (b) Buyer shall be responsible for prompt payment for such inspections and repair damage to and restoration of the Property resulting from such inspections and this provision (b) shall survive termination of this Contract; and (c) if Buyer determines, in Buyer's sole discretion, that the Property is not acceptable to Buyer, Buyer may cancel this Contract by delivering facsimile or written notice of such election to Seller prior to the expiration of the Inspection Period. If Buyer timely cancels this Contract, the deposit(s) paid shall be immediately returned to Buyer; thereupon, Buyer and Seller shall be released of all further obligations under this Contract, except as provided in this Paragraph. Unless Buyer exercises the right to cancel granted herein, Buyer accepts the Property in its present physical condition, subject to any violation of governmental, building, environmental, and safety codes, restrictions of requirements and shall be responsible for any and all repairs and improvements required by Buyer's lender.

K.E. MC

Special Clauses: See attached addendum NOT APPLICABLE

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

As approved by the Board

[Signature]
Kristine Isnardi Chair

Date: 25 Oct 2019

[Signature]
(Buyer Signature)

Date: November 12, 2019

RO48-193-828-212

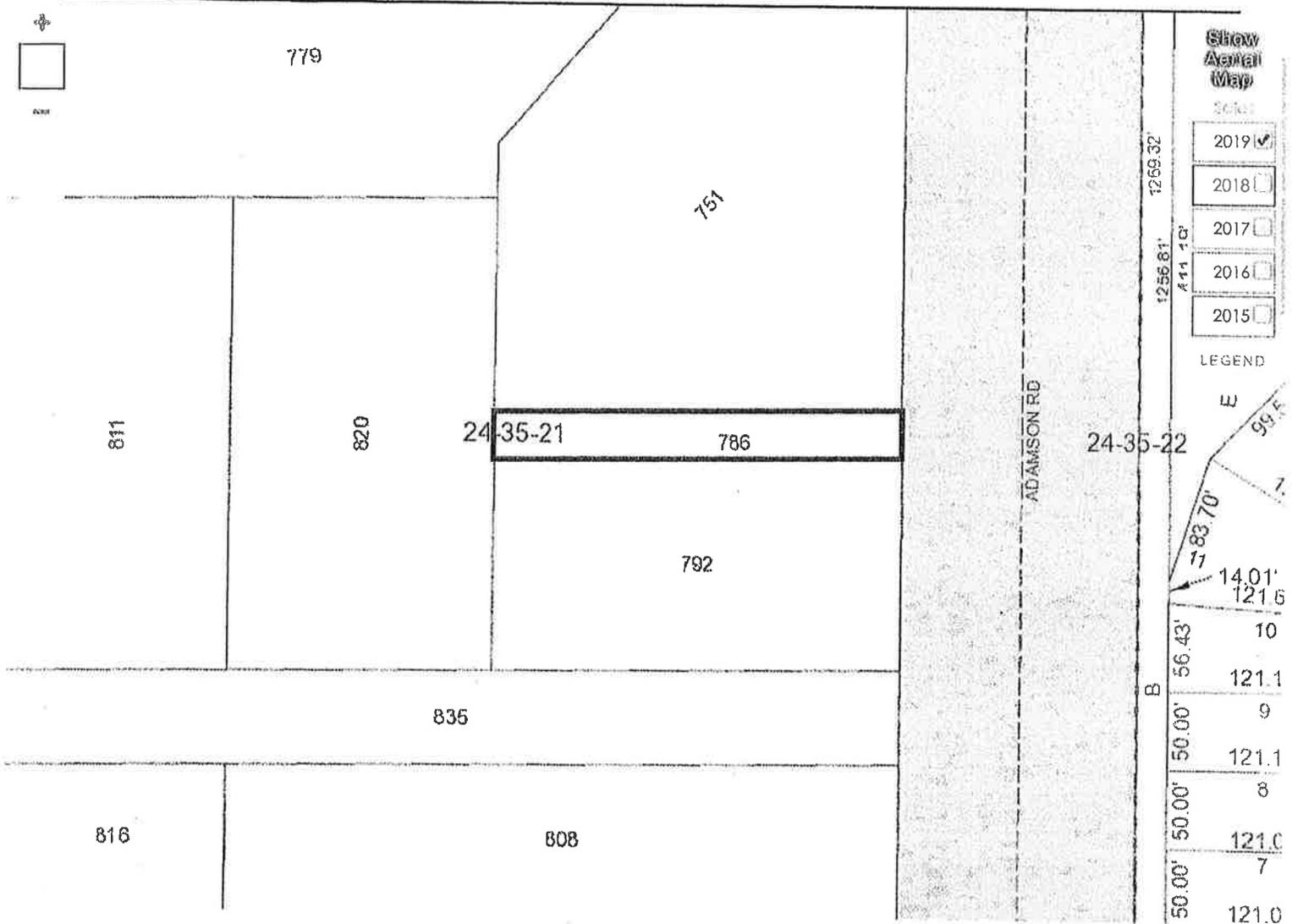
A081209749308

Driver's License # (Buyer)

Attest: *[Signature]*
Scott Ellis, Clerk to the Board

Date: 11/19/19

Approved by Board 11/12/19



Account: 2406825 Parcel ID: 24-35-21-00-786
 Sale: N/A
 BCPAO Market Value: \$1,550
 Owners: Brevard County
 Address: Not Assigned

Zoom | Clear | Details | EagleView | Hide Info