



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.6.

12/17/2024

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### Subject:

Conveyance of Property Acquired by Escheatment Tax Deed to the City of Palm Bay

### Fiscal Impact:

Recording fees are estimated to be less than \$25.00.

### Dept/Office:

Central Services/Asset Management

### Requested Action:

It is requested that the Board of County Commissioners

1. Adopt a Resolution authorizing the conveyance of property acquired by Escheatment Tax Deed that's located within the boundaries of the incorporated City of Palm Bay, Florida, pursuant to Section 197.592(3), Florida Statutes; and
2. Authorize the Chairman to execute a County Deed to convey the property acquired by Escheatment Tax Deed to the City of Palm Bay, Florida, pursuant to Section 197.592(3), Florida Statutes, upon review and approval by the County Attorney's Office.

### Summary Explanation and Background:

The Clerk of Courts conveyed the subject property to the County via Escheatment Tax Deed on March 11, 2024, as recorded in Official Records Book 10011, Page 1913 of the public records of Brevard County, Florida, pursuant to the tax certificate/tax deed sale procedures set forth in Chapter 197, Florida Statutes.

When a property that is located within the boundaries of an incorporated municipality escheats to the County for nonpayment of taxes, and the property has not been dedicated by the Board of County Commissioners, the applicable statute provides that the property shall be conveyed to the governing board of the municipality in which the land is located.

On October 30, 2024, the Public Works Department, Land Acquisition Section, contacted County departments/offices to determine whether this property could be used for a County purpose. No county departments/offices were interested in this property for County purposes. In addition, the County has not received a petition from the prior record owner to repurchase the property pursuant to Sections 197.592(1) and 197.592(2), Florida Statutes.

The subject property is located at 1071 Wood Court NE, Palm Bay, Florida. The Brevard County Property Appraiser Parcel ID is 28-37-32-KA-11-38. According to the Brevard County Property Appraiser, this property is a vacant mobile home site measuring 0.1 acres and assessed at \$36,000 in 2024.

**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

December 18, 2024

**M E M O R A N D U M**

**TO:** Kathy Wall, Central Services Director

**RE:** Item F.6., Conveyance of Property Acquired by Escheatment Tax Deed to the City of Palm Bay

The Board of County Commissioners, in regular session on December 17, 2024, adopted Resolution No. 24-137, authorizing the conveyance of property acquired by Escheatment Tax Deed that is located within the boundaries of the incorporated City of Palm Bay, Florida, pursuant to Section 197.592(3), Florida Statutes; and authorized the Chairman to execute a County Deed to convey the property acquired by the Escheatment Tax Deed to the City of Palm Bay, Florida, pursuant to Section 197.592(3), Florida Statutes, upon review and approval by the County Attorney's Office. Enclosed is fully-executed Resolution and Deed.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

cc: Asset Management  
Finance  
Budget

RESOLUTION NO. 2024- 137

A RESOLUTION AUTHORIZING THE TRANSFER OF INTEREST  
IN COUNTY PROPERTY, PURSUANT TO SECTION 197.592(3),  
FLORIDA STATUTES; 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 Palm Bay, Florida (hereinafter "City"); and

**WHEREAS**, the Property escheated to Brevard County, Florida (hereinafter "County") for nonpayment of taxes pursuant to the tax certificate/tax deed sale procedures set forth in Chapter 197, Florida Statutes; and

**WHEREAS**, there has been no petition filed by the prior owner to repurchase the Property pursuant to Section 197.592(1), Florida Statutes; and

**WHEREAS**, when a property that is located within the boundaries of an incorporated municipality escheats to the County, and the County has not dedicated a use for the property, then Section 197.592(3), Florida Statutes, provides that the property shall be conveyed to the governing board of the municipality in which the land is located.

**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 Board of County Commissioners has determined that the Property described in Exhibit "A" is not needed for County purposes and does hereby authorize the conveyance of the Property to the City for nominal consideration pursuant to Section 197.592(3), Florida Statutes.
3. The Chairman of the Board of County Commissioners is authorized to execute a County Deed and any other documents necessary to facilitate the herein-described conveyance transaction to the City of Palm Bay, Florida.

**DONE, ORDERED, and ADOPTED** in Regular Session this 17th day of December 2024.

ATTEST:  
COMMISSIONERS

  
Rachel Sadoff, Clerk

BOARD OF COUNTY  
OF BREVARD COUNTY, FLORIDA

  
Rob Feltner, Chairman

(As approved by the Board on

DEC 17 2024

**EXHIBIT "A"**

Lot 38, Block 11, Port Malabar Holiday Park Unit One, according to the map or plat thereof, as recorded in Plat Book 22, Page(s) 125 through 137, inclusive, of the Public Records of Brevard County, Florida.

Prepared by and return to:  
Office of the County Attorney  
2725 Judge Fran Jamieson Way, Building C  
Viera, Florida 32940

**COUNTY DEED**  
(STATUTORY FORM - SECTION 125.411, Florida Statutes)

**THIS DEED**, made this 17th day of December 2024, between Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, party of the first part, and The City of Palm Bay, Florida, a municipal corporation of the State of Florida, whose address is 120 Malabar Road SW, Palm Bay, Florida 32907, party of the second part,

(Whenever used herein the terms "party of the first part" and "party of the second part" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "Party of the first part" and "party of the second part" are used for singular and plural, as the context requires, and the use of any gender shall include all genders)

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

**See Exhibit "A" attached hereto and by reference made a part hereof.**


**Property Appraiser's Parcel Identification Number: 28-37-32-KA-11-38**

**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 of said board, the day and year aforesaid.

ATTEST:

  
Rachel Sadoff, Clerk of the Courts

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

By:   
Rob Feltner, Chairman

(As approved by the Board on 12/17/24)

**EXHIBIT 'A'**

**Lot 38, Block 11, Port Malabar Holiday Park Unit One, according to the map or plat thereof, as recorded in Plat Book 22, Pages (s) 125 through 137, inclusive, of the Public Records of Brevard County, Florida.**