



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.19.

12/10/2019

Subject:

Approval of High Bid for Public Sale of a Surplus Property and Authorization for Chairman to Execute All Necessary Documents.

Fiscal Impact:

Fiscal Impact FY2019/2020 Revenue from the sale of the property less advertising and administration fees will be returned to Fund 1160/30307 and the parcel will be re-inserted on the tax rolls. High bid received is \$18,000.00.

Dept/Office:

Central Services / Asset Management

Requested Action:

It is requested that the Board of County Commissioners approve the sale of a surplus parcel of property pursuant to Florida Statute 125.35 (1)(a).

Authorization is requested to accept the high bid in the amount of \$18,000.00 received from Constance Milton and for the Chair to execute all necessary documents.

Summary Explanation and Background:

The subject parcel consists of +/-0.27 acres of unimproved property located at 5571 Wendy Lee Drive, Titusville, 32780 (Brevard County Property Appraiser Parcel ID #22-35-34-00-282, Tax ID 2221237). The parcel is currently assessed at \$15,000.00 and was acquired by the County October 2015. A public auction was conducted, per Board approval July 9, 2019, and sealed bids were opened on November 15, 2019. One bid was received with the high bid of \$18,000.00 received from Constance F. Milton. It is recommended that the Board of County Commissioners approve the sale of surplus parcel ID #22-35-34-00-282, Tax ID 2221237 to high bidder Constance F. Milton in the amount of \$18,000.00 and execute all documents.

Clerk to the Board Instructions:

cc: Asset Management
Finance
Budget



BOARD OF COUNTY COMMISSIONERS

Asset Management
345 Wenner Way
Cocoa, FL 32926

Office Memo

COPY

To: Scott Ellis

From: Merrill Vincent
Asset Management

Subject: Attest County Deed 5571 Wendy Lee Drive; Tax ID 2221237

On December 10, 2019, the Board of County Commissioners approved the sale of parcel 22-35-34-00-282, Tax ID 2221237 to Constance F. Milton. Board Chair, Bryan Lober, executed the County deed which is now presented for your review to attest.

Please call us on Wednesday, January 8, 2020, when we can come and pick up to record 321-349-3075.

Thank you

Merrill Vincent



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

December 11, 2019

MEMORANDUM

TO: Steve Darling, Central Services Director

RE: Item F.19., High Bid for Public Sale of a Surplus Property and Authorization for Chair to Execute All Necessary Documents

The Board of County Commissioners, in regular session on December 10, 2019, approved and accepted the high bid received from Constance Milton in the amount of \$18,000 for the public sale of a surplus parcel, located at 5571 Wendy Lee Drive, Titusville; and authorized for the Chair to execute all necessary documents. Enclosed is a fully-executed As-Is Contract for Sale and Purchase.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Asset Management Director
Finance
Budget



Asset Management
345 Wenner Way
Cocoa, FL 32926

BOARD OF COUNTY COMMISSIONERS

January 7, 2020

Constance Milton

RE: COUNTY LAND SALE 2020-01, TAX ACCOUNT #2221237

Dear Mrs. Milton,

The Brevard County Board of County Commissioners, on December 10, 2019 accepted your bid on the aforementioned Tax Account number and awarded you the parcel as follows:

Parcel I.D. 22-35-34-00-282 containing .28 acres, more or less, on 5571 Wendy Lee Drive, Titusville, FL.

Sale Price:	\$ 18,000.00
Recording Cost:	\$ 2700 <i>AM</i> <i>W</i>
Doc. Stamps:	\$ <u>153.00</u>
TOTAL	\$ 18,153.00

Less earnest deposit: -\$ 180.00

Total Amount Due: \$17,973.00

Please remit to this office certified check. Certified check or money order should be made payable to Brevard county Board of county commissioners. A County deed will be prepared and recorded as soon as possible after payment is received. Kindly notify us as to how you wish the deed to read.

If you have any questions, please contact our office at 321-349-3075.

Thank you,

Merrill Vincent, Asset Manager
Brevard County Asset Management Department
345 Wenner Way
Cocoa, FL 32926

*pd ck # 308349 Cashiers
ck
Space Coast Credit
Union
63-790/2631
1/7/2020*



Asset Management
345 Wenner Way
Cocoa, FL 32926

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Christine Valliere, Asst. County Attorney
FROM: Merrill Vincent, Asset Manager 
SUBJECT: APPROVAL FOR LEGAL CONTENT
DATE: December 12, 2019

The Board of County Commissioners, in regular session on December 10, 2019, approved the sale of a portion of parcel 22-35-34-00-282 to Constance F. Milton, in the amount of \$18,000. The Board also authorized the Chairman to execute all necessary documents.

Attached is a copy of the deed conveying the property to Constance F. Milton and Steven C. Milton. Please review, sign, and return back to me stating that this deed has been approved as to form and legal content.

Upon full payment, I will get the necessary signatures and record the document.

Thank you.

Approved as To Form and Legal Content

December 12, 2019

A handwritten signature in cursive, appearing to read 'Christine Valliere', written over a horizontal line.

ASSISTANT COUNTY ATTORNEY

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

RE: a portion of Parcel I.D. 22-35-34-00-282

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

THIS INDENTURE, made this 7th day of January, 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 **Constance F. Milton and Steven C. Milton**, address is 6822 Windover Way, Titusville, FL 32780, 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:

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7482, PAGE 2407 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING LOCATED WITHIN SECTION 34, TOWNSHIP 22 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 34; THENCE NORTH 89° 30' 00" WEST ALONG THE NORTH LINE OF SAID SECTION 34 FOR A DISTANCE OF 70.00 FEET TO THE NORTHEAST CORNER OF THE AFORESAID DESCRIBED LANDS, SAID POINT ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF SISSON ROAD, AND SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 00° 17' 54" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 79.89 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN SOUTH 17° 12' 44" WEST FOR A DISTANCE OF 10.64 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL

CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 48.00 FEET, AN INCLUDED ANGLE OF 63° 26' 35", AND WHOSE LONG CHORD BEARS SOUTH 48° 56' 02" WEST;

THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 53.15 FEET TO A POINT OF TANGENCY; THENCE SOUTH 80° 39' 19" WEST FOR A DISTANCE OF 8.36 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WENDY LEE DRIVE;

THENCE NORTH 89° 30' 00" WEST ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 51.58 FEET TO THE SOUTHWEST CORNER OF SAID DESCRIBED LANDS; THENCE NORTH 00° 40' 00" EAST ALONG THE WEST LINE OF SAID OF SAID DESCRIBED LANDS FOR A DISTANCE OF 125.00 FEET TO THE NORTHWEST CORNER OF SAID DESCRIBED LANDS; THENCE SOUTH 89° 30' 00" EAST ALONG THE NORTH LINE OF SAID SECTION 34, SAID LINE ALSO BEING THE NORTH LINE OF SAID DESCRIBED LANDS FOR A DISTANCE OF 100.00 FEET TO POINT OF BEGINNING, CONTAINING 11,977 SQUARE FEET (0.27 ACRES), MORE OR LESS.

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

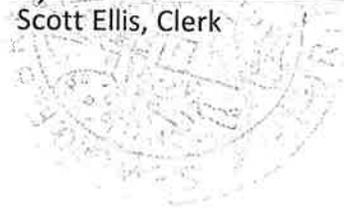
By: Bryan Andrew Lober

Bryan Lober, Chair
Board of County Commissioners
Brevard County, Florida

As approved by the Board on December 10, 2019

Attest: Scott Ellis

Scott Ellis, Clerk



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

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

Buyer: Constance F. Milton

Legal description of property being transferred: 22-35-34-00-282

Tax Account: 2221237

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: 18,000.00

Deposit: \$ 180.00 (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 January 22, 2020, 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 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 (c) shall survive termination of this Contract; and (d) 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.

Special Clauses: See attached addendum NOT APPLICABLE

BOARD OF COUNTY COMMISSIONERS

BREVARD COUNTY, FLORIDA

Buyer Andrew Lopez
As approved by the Board

December 10, 2019
Date

Scott Ellis
Scott Ellis, Clerk to the Board

October 7, 2019
Date

Constance Milton
Buyer Signature

M435-106-56-702-0
Buyer's Driver's License Number

BID SHEET

COUNTY LAND SALE 2020-01

TAX I D: 2221237

5571 Wendy Lee Drive, Titusville Florida

Minimum Bid \$15,000

BID AMOUNT \$ 18,000.00

NAME Constance F. Milton
Print Name and Title

SIGNATURE Constance Milton

ADDRESS 6822 Windover Way

CITY Titusville

STATE Fl. ZIP CODE 32780

