




Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBraal, Deputy County Attorney
Kate Pingolt Cotner, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners

FROM: Dylan Reingold - County Attorney 

DATE: June 5, 2018

SUBJECT: Acceptance of Dedication of Lot 26, Block 15, Whispering Palms, Unit V

Lot 26, Block 15, Whispering Palms, Unit V, a vacant parcel of property, was the subject of a tax deed sale on January 30, 2018; and the property was sold, subject to governmental liens, to Andrea Vassallo, with a Tax Deed recorded at Book 3094, Page 94 of the Public Records of Indian River County, Florida.

On June 1, 2018 the Recording Office received for recording a "Grant Deed" from Andrea Vassallo to Indian River County and the Clerk of Circuit Court. There are measures in place at the Recording Office where any property conveyed to the County requires legal signoff or acceptance; and since this deed lacks signoff or acceptance, the County Attorney's Office was contacted to ascertain whether this Grant Deed should be recorded.

The property has an address of 303 8th Avenue SW and a tax parcel identification number of 33-39-24-00003-0150-00026.0. The subject parcel is located just to the southeast of the former Oslo landfill and lies immediately east of property owned by the County for Utilities. Solid Waste has indicated that with regard to the former Oslo landfill, "No Further Action" status was received from FDEP with regard to the abandonment of wells, and Solid Waste does not anticipate any environmental issues with regard to the subject property as related to the former landfill.

Additionally, upon reaching out to each department head to find out if the County would have any interest in this property, the Public Works Director indicated that the property would indeed be of use in the future for access or stormwater and/or other uses.

The County Attorney's Office also reached out to Jeffrey R. Smith, Clerk of Court and Comptroller, indicating that the County has an interest in taking title to the subject property, and the Clerk indicated his willingness to quitclaim his interest over to Indian River County.

It is noted that the existing County governmental liens which survived this tax deed sale would merge with the fee when title is conveyed to Indian River County. Those liens consist of a utilities lien; court costs lien and a demolition lien – totaling \$5,219.80 without accrued interest.

FUNDING:

The only cost associated with this item would be the recordation fees for recording a quitclaim deed from Jeffrey R. Smith, Clerk of Circuit Court and Comptroller to Indian River County. The recordation fees would be \$19.20 and would come from General Fund/County Attorney/Recording Fees - Account No. 00110214-034830.

RECOMMENDED ACTION:

Staff recommends that the Board of County Commissioners authorize the Recording Office to move forward to record the Grant Deed from Andrea Vassallo with regard to the property identified as Lot 26, Block 15, Whispering Palms, Unit V; and authorize the Chairman of the Board of County Commissioners to execute the County's acceptance on the subsequent quitclaim deed from Jeffrey R. Smith, Clerk of Circuit Court and Comptroller to Indian River County, a political subdivision of the State of Florida for recordation in the public records.

/nhm

Attachments: Grant Deed from Andrea Vassallo
Quitclaim Deed from Jeffrey R. Smith, Clerk of Circuit Court and Comptroller