

POLICY

TITLE: Management of Real Property

NUMBER: BCC-70
CANCELS 02/19/2008
APPROVED: 01/26/2016
ORIGINATOR: Asset Management
REVIEW: 01/26/2019

I. OBJECTIVE

To limit the donation of County owned real property; and specify Board directive regarding disposing of surplus property.

II. DEFINITIONS AND REFERENCES

- A. Florida Statutes, Section 125.38 - Sale of County property to the United States, or state.
- B. Florida Statutes, Section 125.35– County authorized to sell real and personal property and to lease real property.
- C. Florida Statutes, Section 125.411 – Form of deed of conveyance of title for lands held by the County.
- D. Chapter 2, Article VIII, Brevard County Code of Ordinances – Establishes procedures for the sale or lease of surplus real property or modular structures.
- E. Real Property - Land and/or improvements affixed to the land.

III. DIRECTIVES

A. Donation of Real Property

- 1. It is the policy of the Board of County Commissioners not to donate County owned real property.
- 2. In accordance with Section 125.38, Florida Statutes, the Board may consider exceptions to this policy under the following circumstances/guidelines:
 - (a) The requesting agency is providing a service to local residents under a contract with the County.
 - (b) The agency is providing a service to local residents which the County would otherwise have to provide.
 - (c) It is determined that an agency or organization is the sole provider of a community service which the Board deems critical/necessary to the public safety, and/or welfare.
 - (d) It is cost effective to the County to transfer the maintenance costs of a facility to an agency who is meeting a public purpose.

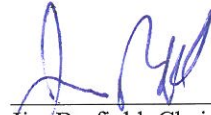
3. Any donations should contain a reverter or value recovery clause should the agency discontinue the service which justified the initial donation.

B. Disposal of Surplus Property

1. In accordance with Section 125.35, Florida Statutes, the Board shall sell, convey, or lease real property when it becomes surplus and unneeded for current or future County use.
2. The sale or lease of County owned real property or modular structures shall be conducted in accordance with Chapter 2, Article VIII of the Brevard County Code of Ordinances.


IV. RESERVATIONS OF AUTHORITY

The authority to issue and/or revise this policy is reserved to the Board of County Commissioners.



Jim Barfield, Chairman
Brevard County Board of County Commissioners

ATTEST:



SCOTT ELLIS, CLERK

As approved by the Board on JANUARY 26, 2016