



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2223, **Version:** 1

Subject:

Approval Re: Acceptance of Donations from the Estate of Ms. Marjorie D. Humphreys. Direct Assets be Deposited into a Specifically-Designated Account for the Cocoa Beach Public Library.

Fiscal Impact:

Fiscal Year 2020-2021: While an exact number is not known at this point, the fiscal impact would be positive and is expected to provide the Cocoa Beach Public Library a minimum of \$125,000, with the possibility of additional funds.

Dept/Office:

Library Services

Requested Action:

It is requested that the Board of County Commissioners:

- 1) Designate and authorize the Chair to dispose of the property at 128 Uncle Jimmy's Lane, Leesburg, GA as proposed by the attorney for Ms. Humphreys' Estate in the best interest of the County, and contingent upon the approval of the County Attorney's Office.
- 2) Designate and authorize the County Manager, or designee, to accept and dispose of any further disbursements of personal property received from Ms. Humphreys' Estate , contingent upon approval by Risk Management and the County Attorney's Office.
- 3) Authorize the Chair to execute any necessary documents, including, but not limited to, agreements, amendments or modifications thereto, accepting, transferring or disclaiming real property associated with Ms. Humphreys' Estate.
- 4) Authorize the County Manager to execute any necessary budget change requests.

Summary Explanation and Background:

Marjorie D. Humphreys ("Ms. Humphreys") passed away on August 29, 2020. As part of her last will and testament ("Will"), Ms. Humphreys named Cocoa Beach Public Library as a beneficiary of her Estate. Specifically, Ms. Humphreys' Will provides that Cocoa Beach Public Library is to receive one-fifth (1/5) of her residual estate, which includes the remaining property of every kind and description, after her other specified dispersals. The exact amount the County will receive is unknown at this time. Any funds received from the Estate will be recorded in an account that is specifically designated to be used for the benefit of Cocoa Beach Public Library.

An important issue to consider is the County's interest in any real property. As a named beneficiary, the

County would become a one-fifth (1/5) owner of any real property when the title transfers to the residual beneficiaries. At this time, a home and property, with a tenant, in Leesburg, GA, have been identified as an asset to be transferred to the residual beneficiaries. An offer has been submitted whereby the County's interest in this property, 128 Uncle Jimmy's Lane, Leesburg, GA, will be purchased for \$2,000.00 if all five residual beneficiaries, which includes the County, agree to convey their respective interests in the property to the prospective buyer. The other four charities named in Ms. Humphrey's Will-Habitat for Humanity, Boys Town Nevada, Special Olympics of Georgia, and Covenant Hospital of Lubbock, Texas-have each agreed to accept the \$2000.00 offer for their interests.

Staff have spoken with the executor of Ms. Humphreys Estate and recommend that the Board accept the \$2000.00 offer for the County's interest in 128 Uncle Jimmy's Lane in order to avoid becoming a landlord and the liability associated with ownership of the property. A number of properties make up the remainder of the Estate, and it is projected that Cocoa Beach Public Library can expect, at a minimum, \$125,000.00 from the sale of the remaining properties.

In order to best address these issues as they arise, it is requested that the Board authorize the Chair to execute any documents to accept, transfer, or disclaim any real property, and designate the County Manager, or designee, to take any necessary action(s) relating to other property interests to protect the interests of the Cocoa Beach Public Library and the County as a whole.

Contact: Wendi Bost, Library Services Director, 321-633-1801

Clerk to the Board Instructions:

Please return copy to Wendi Bost, Library Services Department, 308 Forrest Avenue, 2nd Floor, Cocoa, FL 32922.