



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 5677, **Version:** 1

Subject:

Approval, Re: Quit Claim Deed from Daniel Clifford Long to Convey Any Interest in the Kathren T. Knoepfel Revocable Living Trust related to the County Owned Range Road Drainage Ditch - District 1 and 2.

Fiscal Impact:

None

Dept/Office:

Public Works Department / Land Acquisition

Requested Action:

It is requested that the Board of County Commissioners: 1) accept the attached Quit-Claim Deed and, 2) authorize the Chair to execute the attached Resolution designating the existing drainage ditch as County right-of-way.

Summary Explanation and Background:

The subject property is located in Section 31, Township 24 South, Range 36 East, on the Range Road north of Pluckebaum Road in Cocoa.

On March 14, 2023, staff was contacted by a local title company with regards to a closing for a parcel located at 450 Range Road. Their title report revealed the inability to insure legal access for this parcel fronting Range Road, Cocoa.

The Board of County Commissioners, in regular session on December 17, 2002, accepted Deeds for the drainage ditch from Sherry Hawk (parcel 503) and Kirk M. Knoepfel (tax parcels 505 and 515) in exchange for the installation of a driveway culvert by the County.

Staff research has concluded the following: As to parcels 505 and 515, the deeds conveyed to the County were deeded by Kathren T. Knoepfel and Kirk M. Knoepfel, individually. But on a previous deed, Kathren T. Knoepfel had transferred her portion of the title to the parcels to her trust. The Trust never conveyed its interest to the County. The attached Quit Claim Deed transfers any potential interest remaining in the Trust to the County.

Based on staff research, it is clear the deeds for the drainage ditch were acquired with the intent that the parcels be part of the right-of-way for South Range Road and Pluckebaum Road. However, the deeds do not address this issue specifically, and staff has not located any resolutions formally designating it in this manner. The local title company is concerned that when the County obtained fee simple ownership of the drainage ditches, it created a gap in between the parcels and the right-of-way of Range Road and Pluckebaum Road resulting in no legal access to Range Road for one of the parcels on that road. A resolution is attached that

formalizes the drainage ditches, which receive drainage from the roads, as part of the right-of-way of South Range Road and Pluckebaum Road, thus making the County's intent clear and resolving the title company's concerns about insuring the title.

The User Department approves this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37.

Clerk to the Board Instructions:

Upon execution by the Chair, Public Works Department will contact the Clerk's office to make arrangements to pick up the original executed Quit Claim Deed and Resolution.