

Florida Real Property and Business Litigation Report
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A Flock of Seagirls LLC v. Walton County Florida, Case No. 20-12584 (11th Cir. 2021).

An easement granted to a county for pedestrian access with abandonment if used for any other purpose is abandoned when the county passes an ordinance using the easement for “recreational purpose,” including among other uses, sunbathing, picnicking, fishing, swimming, surfing or “building sand creations.”

Riverside Avenue Property, LLC v. 1661 Riverside Condominium Association, Inc., Case No. 1D20-1598 (Fla. 1st DCA 2021).

A unit owner’s cause of action for declaratory relief does not accrue until there is a dispute against the association, not when the unit owner purchases their unit.

Christopher v. Bank Of America, N.A., Case No. 2D20-198 (Fla. 2d DCA 2021).

The filing of a bankruptcy petition divests a state court of jurisdiction, even if the bankruptcy filing clearly does not meet bankruptcy filing requirements.

2000 Presidential Way, LLC v. The Bank of New York Mellon, Case No. 4D20-1811 (Fla. 4th DCA 2021).

Constructive notice under Florida Statute section 695.01 is dependent on proper recording with the Clerk and not on proper indexing of recorded documents by the Clerk.