

HERALD

Walton County's Oldest Business
Published Continuously Since 1888



[HOME](#)

[SECTIONS](#) ▾

[ABOUT THE HERALD](#) ▾

[ALL NEWS](#)

[CONTACT US](#)

[SUBSCRIPTIONS](#) ▾

[MY PROFILE](#)

[LOG IN](#)

[LEGAL NOTICES](#)

[LOCAL NEWS](#)

[PHOTOS OF THE WEEK](#)

[SPORTS](#)

[OUTDOORS](#)

[ADVERTISE HERE](#)

[ONLINE EDITIONS](#)

[STORIES](#) ▸ [July 14, 2021] [RV park proposed for Moll Drive gets green](#)



[HOME](#) ▸ [NEWS](#) ▸ [Property owners seeking quiet title on part of Barcelona Avenue \[PREMIUM\]](#)

SEARCH ...

Property owners seeking quiet title on part of Barcelona Avenue [PREMIUM]

WELCOME!

Welcome to the New Site! This is currently a work in progress so bear with us as we improve and organize!

[Subscribe!](#)

🕒 July 7, 2021 👤 Quinton 📁 News

ADVERTISE HERE

This is a spot to advertise!

META

[Site Admin](#)

[Log out](#)

[Entries](#) [RSS](#)

[Comments](#) [RSS](#)

[WordPress.org](#)



AERIAL MAP showing the Gulf Shore Manor subdivision, where property owners are seeking quiet title on an unconstructed portion of a road shown on the subdivision plat. (Photo credit: Walton County GIS)

By *DOTTY NIST*

Property owners in the Paradise Too subdivision have filed in court in an effort to obtain quiet title on part of Barcelona Avenue in the Gulf Shore Manor subdivision.

The lawsuit was filed in Walton County Circuit Court on June 16. In a quiet title action, a party claiming ownership of a property may ask a court for a judgment removing any legal interests of other parties to a property.

Defendants in the lawsuit are Walton County and SHH Investments, a Florida limited liability company that is identified as trustee for the Coastal Resources Land Trust No. 5.

A beachfront subdivision, Paradise Too is located south of CR-30A on the western border of the property originally platted as the Gulf Shore Manor subdivision. In February 1988, portions of Block 20 of Gulf Shore Manor were replatted into Paradise Too's four lots.

Barcelona Avenue is shown on the original 1925 Gulf Shore Manor plat completely bordering the west side of the subdivision, with other north-south roads shown as Pelayo Avenue, Montigo Avenue, Santa Clara Drive, and San Juan Avenue. Barcelona Avenue is also shown in the same area, to the west of each of the four Paradise Too lots, on the 1988 replat.

In the quiet title lawsuit, the owners of each of the four Paradise Too lots claim fee simple title (absolute ownership) to the portion of Barcelona Avenue bordering their lots immediately to the west. A fifth plaintiff party, the Brooke Development Company, L.L.C., also claims title ownership of some additional portions of the subdivision, including beach property and a portion of Barcelona Avenue and excluding Lots 1, 2, 3, and 4 of Paradise Too.

The plaintiffs make the argument that maps of Gulf Shore Manor filed for record in Walton County, although showing Barcelona Avenue, do not contain any "language of dedication." The property owners also state that since 1925 Barcelona Avenue has not been used by the public or Walton County.

This may refer to the portion of Barcelona Avenue to the west of Paradise Too, since other portions of Barcelona Avenue have been constructed in the northern area of the Gulf Shore Manor subdivision, and residential properties are located on sections of that roadway.

Other assertions contained in the lawsuit are that Walton County “has not maintained Barcelona Avenue,”

Barcelona Avenue is not on the list of county-maintained roads, although Walton County does maintain other roads in the Gulf Shore Manor subdivision. The Walton County Tourist Development Council also maintains a neighborhood beach access on the southwestern edge of the subdivision that is variously referred to as the Dothan Street Neighborhood Beach Access and the Dothan Street/Barcelona Avenue Neighborhood Beach Access.

The property owners maintain that “any interest Walton County may claim in connection with the disputed areas is barred by the Marketable Record Title Act.”

The Marketable Title Act sets a 30-year limitation on certain matters of title. The property owners note that the defendants, Walton County and SHH Investments, may claim an interest in the “disputed property,” but they maintain that each plaintiff “is entitled to have any claims by the Defendants removed and to have their title quieted.”

SHH Investments is successor to the several land trusts that had filed suit against Walton County in April 2019 over portions of the Gulf Shore Manor subdivision with assertions that the trusts were “fee-simple absolute owners” of “remnant” and beach property in the subdivision, including unbuilt road sections, public beach access and parking areas, and other property. SHH Investments’s lawsuit is proceeding in Walton County Circuit Court.



« PREVIOUS

Court rules disputed portion of Headland Avenue to be subject to public easement
[PREMIUM]

NEXT »

July 14, 2021 Online Edition

📍 Our Location

Defuniak Herald
740 Baldwin Ave
Defuniak Springs, FL 32435

📞 Phone: (850) 892-3232

🕒 Hours: Open 8:00 AM — 4:00 PM

Need Assistance? Contact us!

Share 987

— SECTION NAVIGATION —

Legal Notices

Local News

Photos of the Week

Sports

Outdoors

Advertise Here

Online Editions

The heritage of DeFuniak Springs, its founding, the establishment of winter home of the Chautauqua Assembly, and the Herald – Breeze newspapers are entwined so thoroughly, they cannot be separated...

» Read More

MY PROFILE

LOG IN