

03-BSD.04-07/18

This instrument prepared under the direction of:

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Legal Description prepared by:

Luis A. Gaztambide, P.S.M. 05-03-2021

Document prepared by:

Diana Helmer 09-29-2021

Florida Department of Transportation

Right of Way Production Services

3400 W. Commercial Boulevard

Fort Lauderdale, Florida 33309

Parcel No. 109.2R(09-29-2021)

Item/Segment No. 4130482

Section: 88601-2500

Managing District: 04

C.R. No. 606 (Oslo Road/9th Street SW)

County: Indian River

### RESOLUTION

ON MOTION of Commissioner of **INDIAN RIVER COUNTY SOLID WASTE DISPOSAL DISTRICT, a dependent special district of Indian River County, Florida (“IRCSWDD”)**, seconded by Commissioner \_\_\_\_\_, the following Resolution was adopted:

This Resolution to be effective immediately upon adoption. This Resolution duly adopted this 12th day of October, 2021.

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve County Road No. 606 (Oslo Road/9th Street SW), F.P. No. 4130482, Section 88601-2500, in Indian River County, Florida: and

WHEREAS, it is necessary that certain lands now owned by **IRCSWDD**, be acquired by the **State of Florida Department of Transportation**: and

WHEREAS, said property is not needed for **IRCSWDD** purposes (said property more particularly described in the legal description attached hereto as Exhibit “A”): and

WHEREAS, the State of Florida Department of Transportation has made application to said **IRCSWDD** to execute and deliver to the State of Florida Department of Transportation a deed, or deeds, in favor of the State of Florida Department of Transportation, conveying all rights, title and interest that said **IRCSWDD** has in and to said lands required for transportation purposes, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of **IRCSWDD**, that the application of the State of Florida Department of Transportation for a deed, or deeds, is for transportation purposes which are in the public or community interest and for public welfare and the land needed for transportation purposes is not needed for county purposes; that a deed, or deeds, in favor of the State of Florida Department of Transportation conveying all right, title and interest of **IRCSWDD**, in and to said lands should be drawn and executed by this Board of Commissioners. Consideration shall be \$\_\_\_\_\_.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at 3400 W. Commercial Boulevard, Fort Lauderdale, Florida 33309.

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

The foregoing resolution was moved for adoption by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and adopted by the following vote:

Chairman, Joseph E. Flescher	_____
Vice-Chairman, Peter D. O'Bryan	_____
Commissioner Susan Adams	_____
Commissioner Joseph H. Earman	_____
Commissioner Laura Moss	_____

The Chairman thereupon declared the resolution duly passed and adopted this 12th day of October, 2021.

**BOARD OF COUNTY COMMISSIONERS  
OF INDIAN RIVER COUNTY, FLORIDA**

By: \_\_\_\_\_  
Joseph E. Flescher, Chairman

ATTEST: Jeffrey R. Smith, Clerk  
Of Court and Comptroller

By: \_\_\_\_\_  
Deputy Clerk

Approved as to form and legal sufficiency:

By: \_\_\_\_\_  
Dylan Reingold  
County Attorney

EXHIBIT "A"

## LEGAL DESCRIPTION

Parcel No. 109

F.P. No. 4130482

A portion of Tract 4, PLAT OF INDIAN RIVER FARMS CO., according to the plat thereof, as recorded in Plat Book 2, Page 25, of the Public Records of St. Lucie (now Indian River) County, Florida, lying in the Northwest One-Quarter (NW 1/4) of Section 25, Township 33 South, Range 38 East, as shown on Sheet 5 of the Florida Department of Transportation Right of Way Map for Item/Segment No. 4130482, Section 88601-2500, being more particularly described as follows:

Commence at a 100D nail (No ID), found marking the Northwest Corner of said Section 25, being a point on the Baseline of Survey and Southerly Existing Right of Way line of County Road 606 (Oslo Road / 9th Street SW); thence South 89°39'17" East along said Baseline of Survey and said Southerly Existing Right of Way line of County Road 606 (Oslo Road / 9th Street SW), a distance of 30.00 feet; thence South 00°21'58" West, a distance of 30.00 feet to a point on the Southerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-4 Canal; thence South 89°39'17" East along said Southerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-4 Canal, a distance of 470.00 feet to the POINT OF BEGINNING; thence South 00°21'58" West, a distance of 25.70 feet to the beginning of the New Limited Access Right of Way line of State Road 9 (I-95); thence along said New Limited Access Right of Way line for the next four (4) courses: (1) North 88°03'17" East, a distance of 378.52 feet; thence (2) South 89°39'17" East, a distance of 248.34 feet; thence (3) North 89°45'51" East, a distance of 51.66 feet; thence (4) North 00°20'43" East, a distance of 10.05 feet to a point on said Southerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-4 Canal; thence North 89°39'17" West along said Southerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-4 Canal, a distance of 678.21 feet to the POINT OF BEGINNING.

Containing 10,020 square feet, more or less.

AND

Together with all rights of ingress, egress, light, air, and view between portions of Tracts 3 and 4, PLAT OF INDIAN RIVER FARMS CO., according to the plat thereof, as recorded in Plat Book 2, Page 25, of the Public Records of St. Lucie (now Indian River) County, Florida, lying in the Northwest One-Quarter (NW 1/4) of Section 25, Township 33 South, Range 38 East, Indian River County, Florida, as shown on Sheet 5 of the Florida Department of Transportation Right of Way Map for Item/Segment No. 4130482, Section 88601-2500 and any facility constructed along the following described line:

Commence at a 100D nail (No ID), found marking the Northwest Corner of said Section 25, being a point on the Baseline of Survey and Southerly Existing Right of Way line of County Road 606 (Oslo Road / 9th Street SW); thence South 89°39'17" East along said Baseline of Survey and said Southerly Existing Right of Way line of County Road 606 (Oslo Road / 9th Street SW), a distance of 30.00 feet; thence South 00°21'58" West, a distance of 30.00 feet to a point on the Southerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-4 Canal; thence South 89°39'17" East along said Southerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-4 Canal, a distance of a distance 470.00 feet; thence South 00°21'58" West, a distance of 25.70 feet to the BEGINNING of the New Limited Access Right of Way line of State Road 9 (I-95); thence continue along said New Limited Access Right of Way line of State Road 9 (I-95) for the next five (5)

courses: (1) North 88°03'17" East, a distance of 378.52 feet; thence (2) South 89°39'17" East, a distance of 248.34 feet; thence (3) North 89°45'51" East, a distance of 51.66 feet; thence (4) North 00°20'43" East, a distance of 10.05 feet to a point on said Southerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-4 Canal; thence (5) South 89°39'17" East along said Southerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-4 Canal, a distance of 430.28 feet to the END of said New Limited Access Right of Way line of State Road 9 (I-95).

AND

Together with all rights of ingress, egress, light, air, and view between a portion of the Northwest One-Quarter (NW 1/4) of Section 25, Township 33 South, Range 38 East, Indian River County, Florida, as shown on Sheets 4, 5, and 7 of the Florida Department of Transportation Right of Way Map for Item/Segment No. 4130482, Section 88601-2500 and any facility constructed along the following described line:

Commence at a 100D nail (No ID), found marking the Northwest Corner of said Section 25, being a point on the Baseline of Survey and Southerly Existing Right of Way line of County Road 606 (Oslo Road / 9th Street SW); thence South 89°39'17" East along said Baseline of Survey and said Southerly Existing Right of Way line of County Road 606 (Oslo Road / 9th Street SW), a distance of 30.00 feet to a point on a line 30.00 feet East of and parallel to the West line of said Northwest One-Quarter (NW 1/4) of Section 25; thence South 00°21'58" West along said parallel line, a distance of 300.00 feet to the BEGINNING of the New Limited Access Right of Way line of State Road 9 (I-95); thence continue South 00°21'58" West along said parallel line, a distance of 1,906.52 feet to the END of said New Limited Access Right of Way line of State Road 9 (I-95).

AND

A portion of Tract 5, PLAT OF INDIAN RIVER FARMS CO., according to the plat thereof, as recorded in Plat Book 2, Page 25, of the Public Records of St. Lucie (now Indian River) County, Florida, lying in the Northwest One-Quarter (NW 1/4) of Section 25, Township 33 South, Range 38 East, as shown on Sheet 7 of the Florida Department of Transportation Right of Way Map for Item/Segment No. 4130482, Section 88601-2500, being more particularly described as follows:

Commence at the West One-Quarter (W 1/4) Corner of said Section 25; thence South 89°41'08" East along the South line of said Northwest One-Quarter (NW 1/4) of Section 25, a distance of 207.83 feet to a point on the Easterly Existing Limited Access Right of Way line of State Road 9 (I-95); thence North 25°10'44" West along said Easterly Existing Limited Access Right of Way line of State Road 9 (I-95), a distance of 33.24 feet to a point on the Northerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-5 Canal and the beginning of the New Limited Access Right of Way line of said State Road 9 (I-95) and the POINT OF BEGINNING; thence continue along said New Limited Access Right of Way line of State Road 9 (I-95) for the next three (3) courses: (1) South 89°41'08" East, a distance of 13.29 feet; thence (2) North 25°10'44" West, a distance of 101.28 feet; thence (3) North 21°10'44" West, a distance of 362.50 feet to the end of said New Limited Access Right of Way line of State Road 9 (I-95); thence South 00°21'58" West, a distance of 86.47 feet to a point on said Easterly Existing Limited Access Right of Way line of State Road 9 (I-95); thence South 25°10'44" East along said Easterly Existing Limited Access Right of Way line of State Road 9 (I-95), a distance of 379.16 feet to the POINT OF BEGINNING.

Containing 8,638 square feet, more or less.

All together containing 18,658 square feet, more or less.

Together with all rights of access, ingress, egress, light, air, and view between the grantor's remaining property and any facility constructed on the above described property.