

08-TE.12-07/18

This instrument prepared under the direction of:

Elizabeth S. Quintana, Esq. ~~ESQ~~  
District Four Assistant General Counsel

Legal Description prepared by:

Jeffrey D. Smith, P.S.M. 04-22-2019

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. 702.2R

Item/Segment No. 4130482

Section: 88601-2500

Managing District: 04

S.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 of \_\_\_\_\_, 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**, Florida, be used temporarily by the State of Florida Department of Transportation: and

WHEREAS, said temporary use of the property is in the best interest of the **IRCSWDD** (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 temporary easement, or easements, in favor of the State of Florida Department of Transportation, for the purpose of grading, sloping, tying in, reconnecting and harmonizing existing features, etc., together with the right of access, ingress and egress, along with any other incidences necessary or convenient in connection with the construction to be undertaken by the Department, in County Road 606 (Oslo Road / 9th Street SW), adjacent thereto, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of **IRCSWDD**, that the application of the State of Florida Department of Transportation for a temporary easement, or easements, is for transportation purposes which are in the public or community interest and for public welfare; that a temporary easement, or easements, in favor of the State of Florida Department of Transportation, in Indian River County, Florida, should be drawn and executed by this Board of County 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. 702

F.P. No. 4130482

A portion of Tract 3, 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, said portion lying Southerly of and adjacent to the Southerly Existing Canal Right of Way line of Indian River Farms Water Control District Sub-Lateral C-4 Canal, extending Southerly no more than 25.00 feet between the Baseline of Survey Stations 100+49.68 and 100+99.83, as shown on Sheet 5 of the Florida Department of Transportation Right of Way Map for Item/Segment No. 4130482, Section 88601-2500.

Containing 1,254 square feet, more or less.