

**RESOLUTION NO. 2023-\_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, FORMALLY DESIGNATING CERTAIN COUNTY OWNED PROPERTY FOR 66<sup>TH</sup> AVENUE RIGHT-OF-WAY, AND DIRECTING THE PROPERTY APPRAISER TO CUT OUT THE PROPERTY DESIGNATED AS RIGHT-OF-WAY FROM THE PARENT PARCEL.**

**WHEREAS**, on September 8, 2014, Indian River County purchased property from Brian R. Hood a/k/a Brian Hood, for future road expansion of 66<sup>th</sup> Avenue; said conveyance was recorded in Book 2787 at Page 1863 of the Public Records of Indian River County, Florida; and

**WHEREAS**, the intent of the County is to now earmark by a formal document that portion of the property for right-of-way with the remainder being retained by the County for other purposes until it can be re-sold and put back on the tax rolls; and

**WHEREAS**, a sketch and legal description of the right-of-way have been prepared and are attached hereto as Exhibit "A"; and

**WHEREAS**, a sketch and legal description have been prepared for the remainder property and are attached hereto as Exhibit "B"; and

**WHEREAS**, it would be beneficial to designate by a recorded instrument the County's designation of this right-of-way identified in the attached Exhibit "A" so that the Indian River County Property Appraiser can earmark the property as right-of-way on the appropriate maps, as well as cut out the designated right-of-way from the parent parcel, thus alleviating any potential boundary issues that may

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surface in the future with respect to the re-selling of the remainder property identified in the attached Exhibit "B",

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA that:**

1. The portion of property as described and depicted on the attached Exhibit "A," is hereby formally designated as right-of-way; and
2. This resolution shall be recorded in the Public Records of Indian River County, Florida; and
3. Upon the recordation of this Resolution, the Indian River County Property Appraiser is instructed to cut out the designated right-of-way as depicted and described on the attached Exhibit "A" from the parent parcel, and accordingly earmark any maps within the Property Appraiser's Office to reflect this designation.

The resolution was moved for adoption by Commissioner \_\_\_\_\_, and the motion was seconded by Commissioner \_\_\_\_\_, and, upon being put to a vote, the vote was as follows:

Chairman Joseph H. Earman	_____
Vice Chairman Susan Adams	_____
Commissioner Joseph E. Flescher	_____
Commissioner Deryl Loar	_____
Commissioner Laura Moss	_____

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The Chairman thereupon declared the resolution duly passed and adopted this \_\_\_\_ day of July, 2023.

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

By: \_\_\_\_\_  
Joseph H. Earman, Chairman

ATTEST: Ryan L. Butler, Clerk  
of Court and Comptroller

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

Approved as to form and legal  
sufficiency:

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

# Sketch and Legal Description for: INDIAN RIVER COUNTY

## Legal Description (Right of Way Acquisition)

BEING A PARCEL OF LAND LYING IN SECTION 31 TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, SAID PARCEL ALSO BEING A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORD BOOK 2787, PAGE 1863, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE SOUTHEAST CORNER OF SECTION 31; THENCE NORTH 00°32'54" EAST, ALONG THE EAST LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 31, A DISTANCE OF 25.00 FEET; THENCE DEPARTING SAID EAST LINE, NORTH 89°50'36" WEST, A DISTANCE OF 30.00 FEET TO THE POINT INTERSECTION WITH THE WESTERLY RIGHT OF WAY 66th AVENUE AND THE NORTH RIGHT OF WAY OF 77th STREET (HOBART ROAD), SAID POINT ALSO BEING THE **POINT OF BEGINNING** OF THE FOLLOWING DESCRIBED PARCEL.

THENCE CONTINUE NORTH 89°50'36" WEST, ALONG SAID NORTH RIGHT OF WAY LINE (SAID LINE BEING 25.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 31) A DISTANCE OF 102.26 FEET TO A POINT IN A NON-TANGENT CURVE, CONCAVE TO THE EAST, FROM WHICH THE CHORD BEARS NORTH 03°17'59" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°41'47", A DISTANCE OF 413.72 FEET; THENCE NORTH 00°32'54" EAST (ALONG A LINE THAT IS 160.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 31) A DISTANCE OF 229.26 FEET TO THE NORTH LINE OF OFFICIAL RECORD BOOK 2787, PAGE 1863; THENCE SOUTH 89°50'36" EAST, ALONG SAID NORTH LINE A DISTANCE OF 130.00 FEET TO THE WEST RIGHT OF WAY LINE OF 66th AVENUE; THENCE SOUTH 00°32'54" WEST, ALONG SAID WEST RIGHT OF WAY LINE (SAID LINE BEING 30.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 31) A DISTANCE OF 641.92 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 79,640 SQUARE FEET (1.83 ACRES), MORE OR LESS

## Surveyor's Notes

1). This Sketch and Legal Description was prepared with the benefit of a Boundary Survey prepared by the Indian River County Public Works Department - Survey Section, Job No. 1505, Dated May 21, 2018. Together with the Last General Plat of the Lands of the Indian River Farms Company Subdivision, Recorded in Plat Book 2, Page 25, Public Records of St. Lucie (now Indian River County), Florida.

2). This legal description shall not be valid unless:

- (a) Provided in its entirety consisting of 2 sheets, with sheet 2 showing the sketch of the description.
- (b) Reproductions of the description and sketch are not valid unless signed and sealed with an embossed surveyor's seal.

3). Bearings shown hereon are referenced to the East line of the Southeast One Quarter of Section 31, Township 31 South, Range 31 East. Said line bears North 00°32'54" East, and all others are relative thereto.

## Legend and Abbreviations

C.R. = COUNTY ROAD  
 I.R.F.W.C.D. = INDIAN RIVER FARMS  
 WATER CONTROL DISTRICT  
 L = LENGTH OF ARC  
 LLC = LIMITED LIABILITY COMPANY  
 O.R.B. = OFFICIAL RECORD BOOK  
 (P) = PLAT  
 P.B. = PLAT BOOK  
 PGE = PAGE  
 PBS = PLAT BOOK ST. LUCIE  
 Δ = DELTA ANGLE  
 SQ. FT. = SQUARE FEET  
 R = RANGE  
 R/W = RIGHT-OF-WAY  
 T = TOWNSHIP

## Certification

(NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER)

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION OF THE PROPERTY SHOWN AND DESCRIBED HEREON WAS COMPLETED UNDER MY DIRECTION AND SAID SKETCH AND LEGAL IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS SET FORTH BY THE FLORIDA PROFESSIONAL BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATE STATUTES.

4-3-23  
 DATE OF SIGNATURE

  
 DAVID W. SCHRYVER  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 4864

This is not a Boundary Survey

AGENCY: **INDIAN RIVER COUNTY, FL  
 PUBLIC WORKS DEPT./ENGINEERING DIV.**

DATE: **7/16/19** DRAWN BY: **R. INGLETT**

SCALE: **N/A** APPROVED BY: **D. SCHRYVER**

SHEET: **1 OF 2** JOB NO: **1505**

Sketch and Legal Description  
 for:  
**INDIAN RIVER COUNTY**  
 (PARCEL 125)

# Sketch and Legal Description for: INDIAN RIVER COUNTY

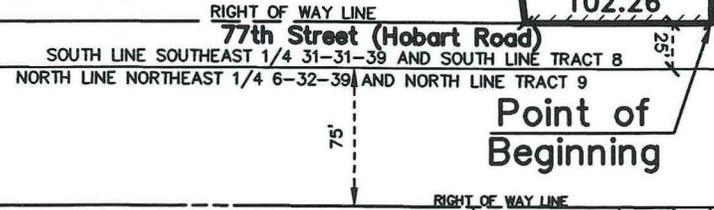
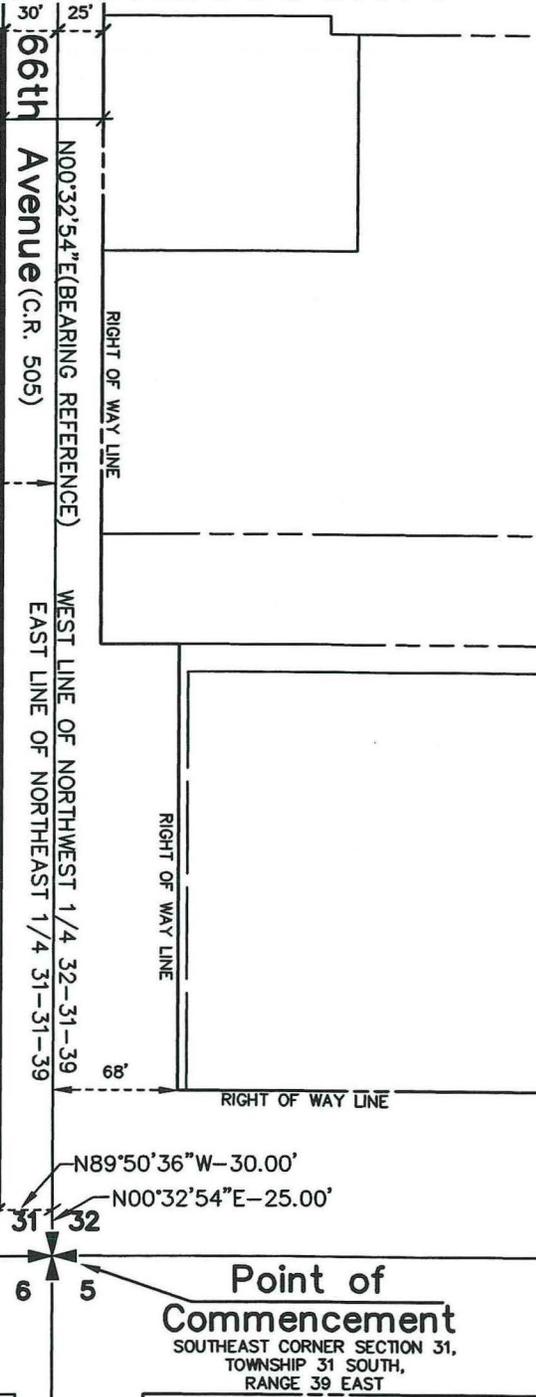
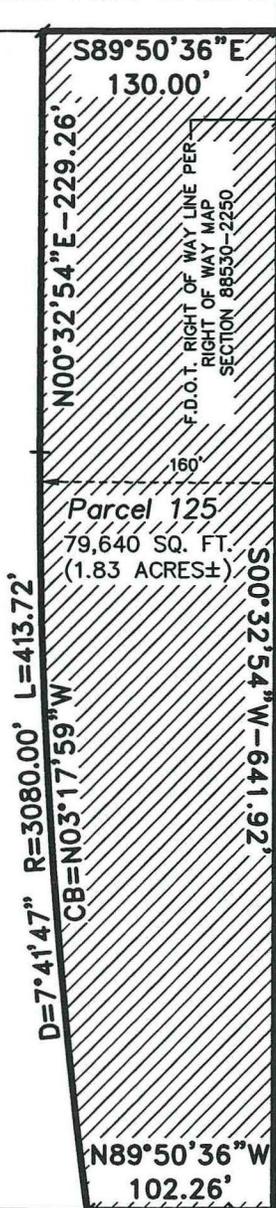
NORTH LINE OF OFFICIAL  
RECORD BOOK 2787, PAGE 1863

**SECTION 31  
TOWNSHIP 31 SOUTH,  
RANGE 39 EAST**

INDIAN RIVER COUNTY  
32-39-31-00000-7000-00011.0  
SITE ADDRESS: 7715 66th AVENUE  
O.R.B. 2787, PG 1863



NOT TO SCALE



### Legend and Abbreviations

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This is not a Boundary Survey

AGENCY: **INDIAN RIVER COUNTY, FL  
PUBLIC WORKS DEPT./ENGINEERING DIV.**

DATE: **7/16/19** DRAWN BY: **R. INGLETT**

SCALE: **N/A** APPROVED BY: **D.SCHRYVER**

SHEET: **2 OF 2** JOB NO: **1505**

Sketch and Legal Description  
for:  
**INDIAN RIVER COUNTY**  
(PARCEL 125)

# Sketch and Legal Description for: INDIAN RIVER COUNTY

## Surveyor's Notes

- 1). THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED WITH THE BENEFIT OF A RIGHT OF WAY FOR 66TH AVENUE, PREPARED BY KIMLEY-HORN & ASSOC., JOB NO. 1505, DATED JULY 24, 2017. TOGETHER WITH THE LAST GENERAL PLAT OF THE LANDS OF THE INDIAN RIVER FARMS COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF ST. LUCIE (NOW INDIAN RIVER COUNTY), FLORIDA.
- 2). THIS LEGAL DESCRIPTION SHALL NOT BE VALID UNLESS:
  - (A) PROVIDED IN ITS ENTIRETY CONSISTING OF 3 SHEETS , WITH SHEET 3 SHOWING THE SKETCH OF THE DESCRIPTION.
  - (B) REPRODUCTIONS OF THE DESCRIPTION AND SKETCH ARE NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
- 3). BEARINGS SHOWN HEREON ARE REFERENCED TO THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SECTION 31, TOWNSHIP 31 SOUTH, RANGE 31 EAST. SAID LINE BEARS NORTH 00°32'54" EAST, AND ALL OTHERS ARE RELATIVE THERETO.

## Legend and Abbreviations

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## Certification

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 RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER)

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION OF THE PROPERTY SHOWN AND DESCRIBED HEREON WAS COMPLETED UNDER MY DIRECTION AND SAID SKETCH AND LEGAL IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE FOR SURVEYS SET FORTH BY THE FLORIDA PROFESSIONAL BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATE STATUTES.

*5-30-23*  
 DATE OF SIGNATURE

*David W. Schryver*  
 DAVID W. SCHRYVER  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 4864

This is not a Boundary Survey

AGENCY: **INDIAN RIVER COUNTY, FL  
 PUBLIC WORKS DEPT./ENGINEERING DIV.**

DATE: **06/01/2020** DRAWN BY: **R. INGLETT**

SCALE: **N/A** APPROVED BY: **D. SCHRYVER**

SHEET: **1 OF 3** JOB NO: **1505**

Sketch and Legal Description  
 for:  
**INDIAN RIVER COUNTY**

# Sketch and Legal Description for: INDIAN RIVER COUNTY

## Legal Description

A PARCEL OF LAND SITUATED AND LYING IN PART OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, AND BEING DESCRIBED AS:

THE SOUTH 666.91 FEET OF THE EAST 437.15 FEET OF THE SOUTH 55 ACRES OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 31 SOUTH, RANGE 39 EAST, **LESS AND EXCEPT** THE EAST 238.71 FEET OF THE NORTH 208.71 FEET OF THE SOUTH 283.71 FEET THEREOF, **LESS AND EXCEPT** THE EAST 30.00 FEET AND THE SOUTH 25.00 FEET FOR ROAD RIGHT OF WAY, SAID LAND LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

**AND**

THE EAST 238.71 FEET OF THE NORTH 208.71 FEET OF THE SOUTH 283.71 FEET OF THAT CERTAIN PARCEL DESCRIBED AS THE EAST 437.15 FEET OF THE SOUTH 896.85 FEET OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 31 SOUTH, RANGE 39 EAST, **LESS AND EXCEPT** THE EAST 30 FEET, SAID PARCEL BEING PART OF THE EAST 45 ACRES OF THE SOUTH 55 ACRES OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 31 SOUTH, RANGE 39 EAST, **LESS AND EXCEPT** THE WEST 36 ACRES, ALL LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

**LESS AND EXCEPT THE FOLLOWING (PARCEL 125):**

BEING A PARCEL OF LAND LYING IN SECTION 31 TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, SAID PARCEL ALSO BEING A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORD BOOK 2787, PAGE 1863, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE SOUTHEAST CORNER OF SECTION 31; THENCE NORTH 00°32'54" EAST, ALONG THE EAST LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 31, A DISTANCE OF 25.00 FEET; THENCE DEPARTING SAID EAST LINE, NORTH 89°50'36" WEST, A DISTANCE OF 30.00 FEET TO THE POINT INTERSECTION WITH THE WESTERLY RIGHT OF WAY 66th AVENUE AND THE NORTH RIGHT OF WAY OF 77th STREET (HOBART ROAD), SAID POINT ALSO BEING THE **POINT OF BEGINNING** OF THE FOLLOWING DESCRIBED PARCEL.

THENCE CONTINUE NORTH 89°50'36" WEST, ALONG SAID NORTH RIGHT OF WAY LINE (SAID LINE BEING 25.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 31) A DISTANCE OF 102.26 FEET TO A POINT IN A NON-TANGENT CURVE, CONCAVE TO THE EAST, FROM WHICH THE CHORD BEARS NORTH 03°17'59" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°41'47", A DISTANCE OF 413.72 FEET; THENCE NORTH 00°32'54" EAST (ALONG A LINE THAT IS 160.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 31) A DISTANCE OF 229.26 FEET TO THE NORTH LINE OF OFFICIAL RECORD BOOK 2787, PAGE 1863; THENCE SOUTH 89°50'36" EAST, ALONG SAID NORTH LINE A DISTANCE OF 130.00 FEET TO THE WEST RIGHT OF WAY LINE OF 66th AVENUE; THENCE SOUTH 00°32'54" WEST, ALONG SAID WEST RIGHT OF WAY LINE (SAID LINE BEING 30.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 31) A DISTANCE OF 641.92 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 79,640 SQUARE FEET (1.83 ACRES), MORE OR LESS

This is not a Boundary Survey

AGENCY: **INDIAN RIVER COUNTY, FL  
PUBLIC WORKS DEPT./ENGINEERING DIV.**

DATE: **06/01/2020**

DRAWN BY: **R. INGLETT**

SCALE: **N/A**

APPROVED BY: **D.SCHRYVER**

SHEET: **2 OF 3**

JOB NO: **1505**

Sketch and Legal Description  
for:  
INDIAN RIVER COUNTY

