

RESOLUTION 2017-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR THE CLOSING, ABANDONMENT, VACATION AND DISCONTINUANCE OF A PORTION OF A 70 FOOT WIDE RIGHT-OF-WAY OF 129TH AVENUE (NOW BEING 93RD AVENUE) LYING BETWEEN BLOCKS K AND P OF THE PARADISE PARK UNIT NO. 3 SUBDIVISION, AND BETWEEN 21ST STREET AND 22ND STREET, AND A PORTION OF A 70 FOOT WIDE RIGHT-OF-WAY OF 130TH AVENUE (NOW BEING 93RD COURT) LYING BETWEEN THE WEST LOT LINE OF LOT 11, BLOCK K OF THE PARADISE PARK UNIT NO. 3 SUBDIVISION AND THE EAST RIGHT-OF-WAY LINE FOR STATE ROAD NO. 9 / INTERSTATE 95, SOUTH OF 22ND STREET.

WHEREAS, on November 15, 2016, Indian River County received a duly executed and documented petition from Prima Vista Corporation requesting that the County close, vacate, abandon, discontinue, renounce and disclaim any right, title and interest of the County and the public in and to a portion of 129th Avenue (now being 93rd Avenue) lying between Blocks K and P of the Paradise Park Unit No. 3 Subdivision, and between 21st Street and 22nd Street, and a portion of 130th Avenue (now being 93rd Court) lying between the west lot line of Lot 11, Block K of the Paradise Park Unit No. 3 Subdivision and the east right-of-way line for State Road No. 9/Interstate 95, south of 22nd Street, as shown in Plat Book 4, Page 34 of the Public Records of Indian River County, Florida; and

WHEREAS, in accordance with Florida Statutes 336.10, notice of a public hearing to consider said petition was duly published; and

WHEREAS, after consideration of the petition, supporting documents, staff investigation and report, and testimony of all those interested and present, the Board finds that the subject right-of-way is not a state or federal highway, not located within any municipality, not necessary for continuity of the County's street and thoroughfare network, and does not provide exclusive access to any private property.

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

1. All right, title and interest of the County and the public in and to that certain right-of-way segment more particularly described as follows:

A RIGHT OF WAY ABANDONMENT LYING IN SECTION 3, TOWNSHIP 33 SOUTH, RANGE 38 EAST, INDIAN RIVER COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF 130TH AVENUE (NOW BEING 93RD COURT), (A 70.00 FOOT RIGHT OF WAY), PARADISE PARK UNIT No.3, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 34, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE NORTH LINE OF BLOCK K, SAID PARADISE PARK UNIT No.3, EXTENDED WESTERLY TO

RESOLUTION 2017-_____

AN INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF STATE ROAD No.9 (I-95 HIGHWAY), BOUNDED ON THE EAST BY THE WEST LINE OF SAID BLOCK K AND BOUNDED ON THE WEST BY THE EAST RIGHT OF WAY LINE OF STATE ROAD No.9 (I-95 HIGHWAY).

AND THAT PORTION OF 129TH AVENUE (NOW BEING 93RD AVENUE), (A 70.00 FOOT RIGHT OF WAY), SAID PARADISE PARK No.3, BOUNDED ON THE NORTH BY THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK K, BOUNDED ON THE EAST BY THE WEST LINE OF BLOCK P, SAID PARADISE PARK UNIT No.3, BOUNDED ON THE SOUTH BY THE SOUTH LINE OF SAID BLOCK P EXTENDED WESTERLY, BOUNDED ON THE SOUTHWEST BY THE EAST RIGHT OF WAY LINE OF STATE ROAD No.9 (I-95 HIGHWAY) AND BOUNDED ON THE WEST BY THE EAST LINE OF SAID BLOCK K.

SAID RIGHT OF WAY ABANDONMENTS CONTAINING 1.0 ACRES MORE OR LESS.

Lying and being in Indian River County, Florida, is hereby forever closed, abandoned, renounced, disclaimed, and vacated (see Exhibit A attached).

2. The closing, vacation, and abandonment of these portions of public rights-of-way is in the best interests of the public.
3. Notice of the adoption of this resolution shall be forthwith published once within thirty (30) days from the date of adoption hereof.
4. The Clerk is hereby directed to record this resolution together with the proofs of publication required by Florida Statutes 336.10 in the Official Record Books of Indian River County without undue delay.
5. The rights-of-way shall revert equally to properties on both sides of the subject rights-of-way within the Paradise Park Unit No. 3 Subdivision.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Chairman Joseph E. Flescher _____

Vice Chairman Peter D. O'Bryan _____

Commissioner Susan Adams _____

Commissioner Tim Zorc _____

Commissioner Bob Solari _____

RESOLUTION 2017-_____

The Chairman thereupon declared the resolution duly passed and adopted this _____ day of _____, 2017.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

BY: _____
Joseph E. Flescher, Chairman

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

BY: _____
Deputy Clerk

I HEREBY CERTIFY that on this day, before me, and officer duly authorized in this State and County to take acknowledgments, personally appeared _____, and _____ as Chairman of the Board of County Commissioners and Deputy Clerk, respectively, to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, A.D., 2017.

Notary Public

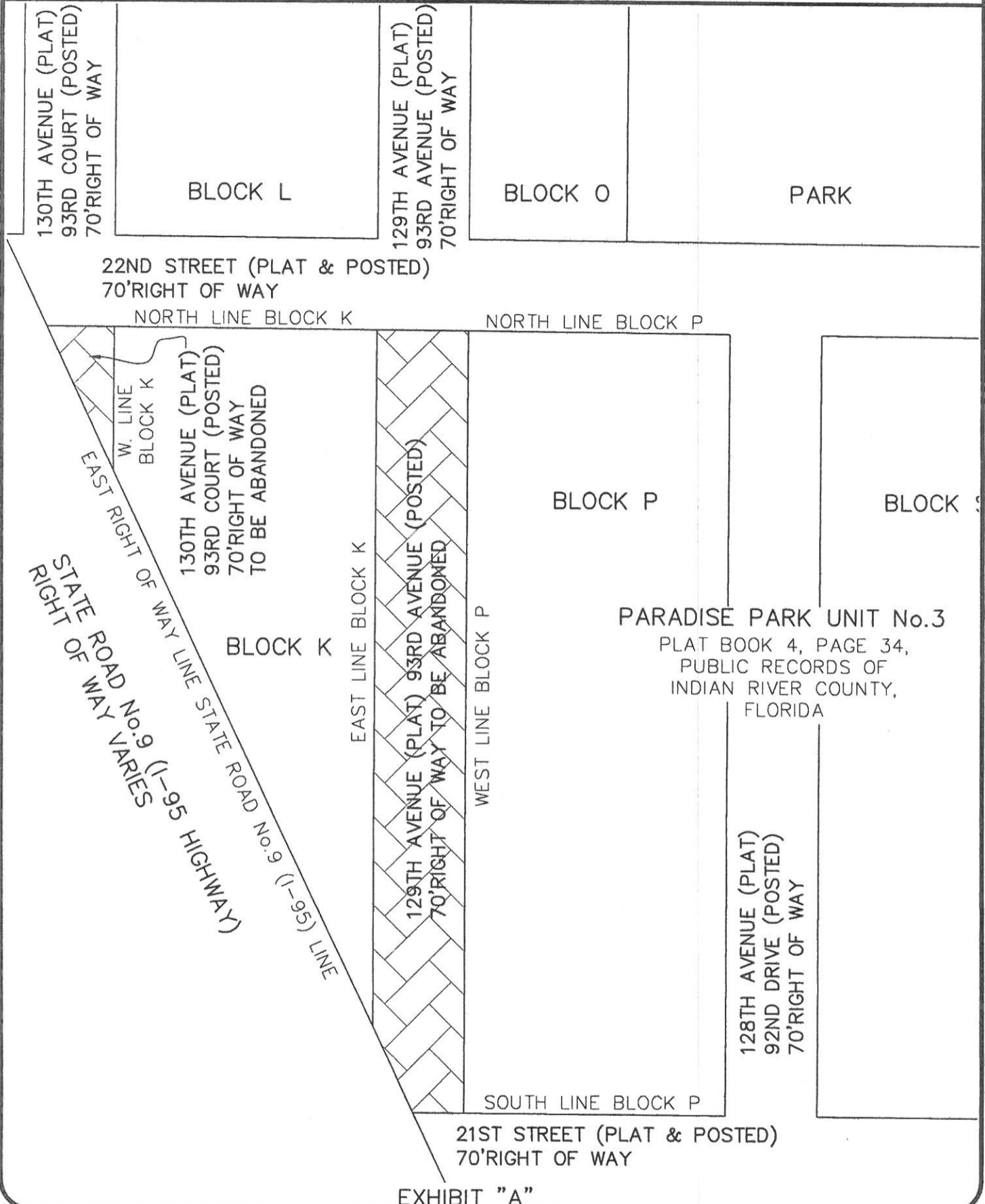
APPROVED AS TO LEGAL SUFFICIENCY

BY: _____
Dylan Reingold, County Attorney

APPROVED AS TO PLANNING MATTERS

BY: _____
Stan Boling, AICP, Director
Community Development Department

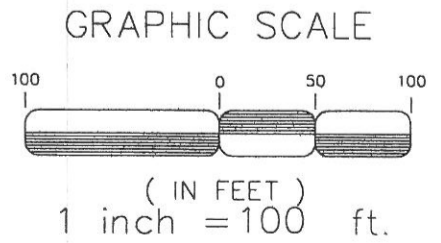
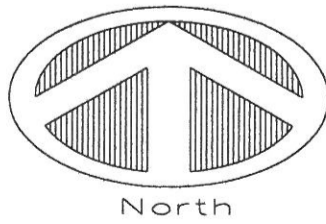
SKETCH OF LEGAL DESCRIPTION (NOT A SURVEY)



PLAT OF SURVEY FOR: INDIAN RIVER COUNTY

SKETCH OF DESCRIPTION FOR
RIGHT OF WAY
ABANDONMENT

SKETCH OF LEGAL DESCRIPTION
NOT A BOUNDARY SURVEY



PROJ. NO. 16-065 DATE: 11/08/16
DWN. BY: C.H.B.
CKD. BY: S.P.T.

THIS PLAT AND REPORT ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA REGISTERED SURVEYOR AND MAPPER NAMED HEREON WHICH SIGNATURE AND SEAL MAY BE FOUND AT THE END OF THE ATTACHED REPORT. THE PLAT AND REPORT ARE NOT FULL AND COMPLETE WITHOUT ONE ANOTHER.

SKETCH OF LEGAL DESCRIPTION

(NOT A SURVEY)

Report of Survey: (Project # 16-065)

- * TYPE OF SURVEY: SKETCH OF DESCRIPTION - NOT A FIELD BOUNDARY SURVEY
- * THIS LEGAL DESCRIPTION PREPARED BY:
HOUSTON, SCHULKE, BITTLE & STODDARD, INC. L.B. #6905 d\b\o MERIDIAN LAND SURVEYORS
1717 INDIAN RIVER BOULEVARD, SUITE 201, VERO BEACH, FLORIDA 32960
- * PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE:
CHARLES H. BLANCHARD, P.S.M. #5755

Legal Description: EXHIBIT "A"

A RIGHT OF WAY ABANDONMENT LYING IN SECTION 3, TOWNSHIP 33 SOUTH, RANGE 38 EAST, INDIAN RIVER COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF 130TH AVENUE (NOW BEING 93RD COURT), (A 70.00 FOOT RIGHT OF WAY), PARADISE PARK UNIT No.3, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 34, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE NORTH LINE OF BLOCK K, SAID PARADISE PARK UNIT No.3, EXTENDED WESTERLY TO AN INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF STATE ROAD No.9 (I-95 HIGHWAY), BOUNDED ON THE EAST BY THE WEST LINE OF SAID BLOCK K AND BOUNDED ON THE WEST BY THE EAST RIGHT OF WAY LINE OF STATE ROAD No.9 (I-95 HIGHWAY).

AND THAT PORTION OF 129TH AVENUE (NOW BEING 93RD AVENUE), (A 70.00 FOOT RIGHT OF WAY), SAID PARADISE PARK No.3, BOUNDED ON THE NORTH BY THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK K, BOUNDED ON THE EAST BY THE WEST LINE OF BLOCK P, SAID PARADISE PARK UNIT No.3, BOUNDED ON THE SOUTH BY THE SOUTH LINE OF SAID BLOCK P EXTENDED WESTERLY, BOUNDED ON THE SOUTHWEST BY THE EAST RIGHT OF WAY LINE OF STATE ROAD No.9 (I-95 HIGHWAY) AND BOUNDED ON THE WEST BY THE EAST LINE OF SAID BLOCK K.

SAID RIGHT OF WAY ABANDONMENTS CONTAINING 1.0 ACRES MORE OR LESS.

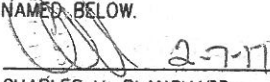
Legend & Abbreviations: (symbols not scaleable for size)

- | | |
|--------------------------------------|--------------------------------|
| PLS - PROFESSIONAL LAND SURVEYOR | CR - COUNTY ROAD |
| PSM - PROFESSIONAL SURVEYOR & MAPPER | R/W - RIGHT OF WAY |
| LB - LAND SURVEYING BUSINESS | O.R.B. - OFFICIAL RECORD BOOK |
| Ⓢ - CENTERLINE | P.O.C. - POINT OF COMMENCEMENT |
| (M) - MEASURED VALUE | P.O.B. - POINT OF BEGINNING |
| (P) - PLAT VALUE | |
- P.R.I.R.C.F. - PUBLIC RECORDS OF INDIAN RIVER COUITY, FLORIDA

SKETCH OF DESCRIPTION FOR
RIGHT OF WAY ABANDONMENT
PLAT OF SURVEY FOR: INDIAN RIVER COUNTY

SKETCH OF LEGAL DESCRIPTION
NOT A BOUNDARY SURVEY

THIS SURVEY IS NOT VALID WITHOUT THE
SIGNATURE AND THE ORIGINAL RAISED SEAL OF
THE FLORIDA LICENSED SURVEYOR AND MAPPER
NAMED BELOW.


CHARLES H. BLANCHARD, P.S.M. #5755