

June 5, 2020

HAND DELIVER

Dylan Reingold
County Attorney
Indian River County
Administration Building
1801 27th Street, Bldg. A
Vero Beach, FL 32960

RE: Release of Right of Entry to Mine Property

Dear Dylan:

Pursuant to Section 270.11, Florida Statutes (2019), copy enclosed, whenever any local government conveys property, it reserves an undivided three fourths interest in all phosphate, mineral, and metal rights, together with the privilege to enter and mine for those phosphates, minerals, and metals. These rights can be waived either in the deed (Section 270.11(1)), or subsequently, by the granting of a petition by the owner of the parcel (Section 270.11(2)(b)).

We represent 202 Eddy Building, Inc., owner of the Fairlane Harbor Mobile Home Park, located at 1500 South Indian River Boulevard, Vero Beach, Florida ("Owner").

Enclosed is a copy of the November 22, 1988 County deed conveying the subject property to the Owner.

I can also confirm that I have examined a title search which indicates that as of March 5, 2020, 202 Eddy Building, Inc., was the fee simple title holder to this property.

The Owner hereby requests that Indian River County release its right of entry and the privilege to mine the subject property for any and all minerals, metals, and phosphates, or for petroleum, pursuant to Section 270.11(2)(b). In support of this application, the Owner states that the property is only subject to this cloud on title by accident of statute: Indian River County

never intended to mine the subject property, nor is the subject property in an area known to be subject to mining for phosphates, minerals, metals, or petroleum. The only effect of the statute today is to create an unreasonable cloud on title to the property.

Further, release of the right of entry would not diminish the County's retained right to an undivided three fourths interest in any phosphates, minerals, or metals on the property.

Please advise me if there is any additional information that I can provide to facilitate processing this application. If there is an application fee, kindly let me know. I would appreciate being advised of any meetings, internal or otherwise, concerning this application, and I would like to be copied on any and all correspondence which constitutes public record concerning this application.

I thank you in advance for your cooperation.

Very truly yours,

Bruce Barkett
For the Firm

BB/ml