

RESOLUTION NO. 2019-_____

**A RESOLUTION OF INDIAN RIVER
COUNTY, FLORIDA, CANCELLING
CERTAIN TAXES UPON PUBLICLY OWNED
LANDS, PURSUANT TO SECTION 196.28,
FLORIDA STATUTES.**

WHEREAS, section 196.28, Florida Statutes, allows the Board of County Commissioners of each County to cancel and discharge any and all liens for taxes, delinquent or current, held or owned by the county or the state, upon lands heretofore or hereafter conveyed to or acquired by any agency, governmental subdivision, or municipality of the state, or the United States, for road purposes, defense purposes, recreation, reforestation, or other public use; and

WHEREAS, such cancellation must be by resolution of the Board of County Commissioners, duly adopted and entered upon its minutes properly describing such lands and setting forth the public use to which the same are or will be devoted; and

WHEREAS, upon receipt of a certified copy of such resolution, proper officials of the county and of the state are authorized, empowered, and directed

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to make proper entries upon the records to accomplish such cancellation and to do all things necessary to carry out the provisions of section 196.28, F.S.;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, that any and all liens for taxes delinquent or current against the following described lands, which were purchased from Gary M. Rust and Linda M. Rust, husband and wife, for 65th Street right-of-way in connection with the 66th Avenue road widening project, are hereby cancelled pursuant to the authority of section 196.28, F.S.

See attached Warranty Deed describing lands, recorded in O.R. Book 3136 at Page 2136, Public Records of Indian River County, Florida.

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:

- Commissioner Bob Solari, Chairman _____
- Commissioner Susan Adams, Vice Chairman _____
- Commissioner Joseph E. Flescher _____
- Commissioner Tim Zorc _____
- Commissioner Peter D. O'Bryan _____

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The Chairman thereupon declared the resolution duly passed and adopted this ____ day of _____, 2019.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

By _____
Bob Solari, Chairman

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

By: _____
Deputy Clerk

Tax Certificates Outstanding	<u> </u> Yes <u>✓</u> No
Current Prorated Tax Received and Deposited with Tax Collector	\$ <u> </u>

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
BY William K. Debraal
WILLIAM K. DEBRAAL
DEPUTY COUNTY ATTORNEY

This Instrument Prepared by and Return to:

Jason Beal

Atlantic Coastal Land Title Company, LLC

855 21st Street, Suite C

Vero Beach, Florida 32960

Our File No.: 48083994

Property Appraisers Parcel Identification (Folio) Number: **A Portion of 32390700002000000001.0**

Florida Documentary Stamps in the amount of \$42.00 have been paid hereon.

Space above this line for Recording Data

WARRANTY DEED

THIS WARRANTY DEED, made the 15th day of July, 2018, by Gary M. Rust and Linda M. Rust, husband and wife, whose post office address is 914 Success Avenue, Lakeland, FL 33803, herein called the Grantors, to Indian River County, a political subdivision of the State of Florida, whose post office address is 1801 27th Street, Vero Beach, FL 32960, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantors, for and in consideration of the sum of Ten and 00/100 (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in INDIAN RIVER County, State of Florida, viz.:

Right of Way Parcel:

The North 20.00 feet of the South 80 feet of the following described Parcel recorded in Official Records Book 1998, Page 623, Public Records of Indian River County, Florida.

PARCEL 1:

Affidavit of exemption from Subdivision improvements with a Plat filed for Gore, as recorded in Official Records Book 1905, Page 72, Public Records of Indian River County, Florida, more particularly described as follows:

The West 10 Acres of the East 30 Acres of Tract 8, Section 7, Township 32 South, Range 39 East, according to the last General Plat of lands of the Indian River Farms Co., filed in Plat Book 2, Page 25, Public Records of St. Lucie County, Florida, now Indian County, Florida, less the South 60 feet thereof for road right of way, and also less the East 266.35 feet of the South 770.4 feet of the above described Parcel.

Subject to easements, restrictions and reservations of record and taxes for the year 2018 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantors hereby covenant with said Grantee that the Grantors are lawfully seized of said land in fee simple; that the Grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2017.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Kevin J. English
Witness #1 Signature

Kevin J. English
Witness #1 Printed Name

Candace N. Rueda
Witness #2 Signature

Candace N. Rueda
Witness #2 Printed Name

Gary M. Rust (Seal)
Gary M. Rust

Linda M. Rust (Seal)
Linda M. Rust

State of Florida
County of Polk

The foregoing instrument was acknowledged before me this 18th day of July, 2018, by Gary M. Rust and Linda M. Rust, who are personally known to me or have produced _____ as identification.

SEAL



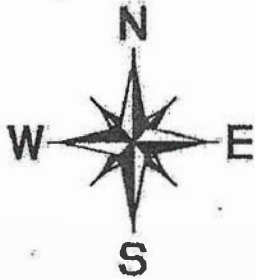
LAURA L. DUBOSE
MY COMMISSION # FF 903548
EXPIRES: October 29, 2019
Bonded Thru Budget Notary Services

Laura L. Dubose
Notary Public
Laura L. Dubose
Printed Notary Name

My Commission Expires: 10/29/19

EXHIBIT "B"

A TRUE COPY
CERTIFICATION ON LAST PAGE
J.R. SMITH, CLERK



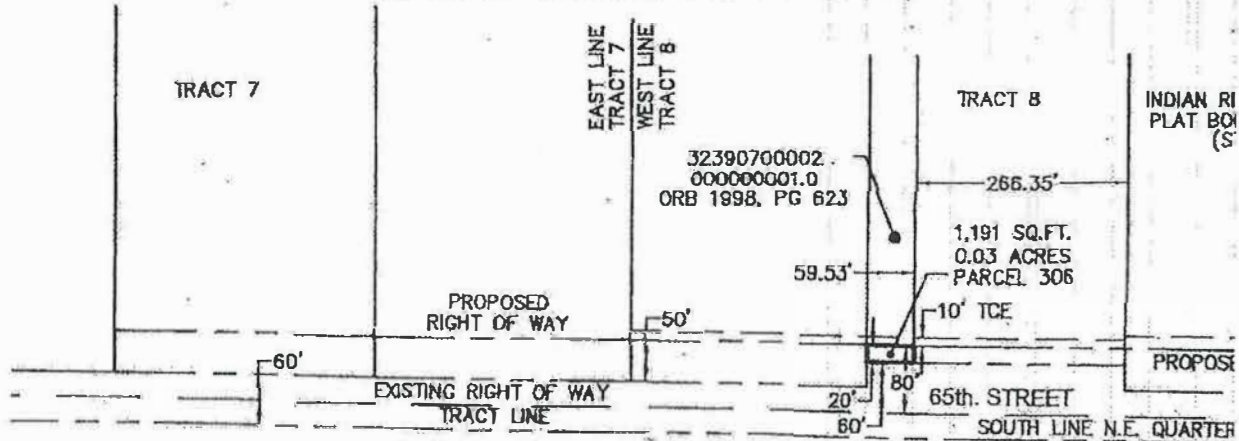
LEGAL DESCRIPTION
RIGHT OF WAY PARCEL

THE NORTH 20.00 FEET OF THE SOUTH 80 FEET OF THE FOLLOWING DESCRIBED PARCEL
OFFICIAL RECORDS BOOK 1998, PAGE 823, PUBLIC RECORDS OF INDIAN RIVER COUNTY,

PARCEL 1 AFFIDAVIT OF EXEMPTION FROM SUBDIVISION IMPROVEMENTS WITH A PLAT FILE
RECORDED IN OFFICIAL RECORDS BOOK 1905, PAGE 72, PUBLIC RECORDS OF INDIAN RIV
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 10 ACRES OF THE EAST 30 ACRES OF TRACT 8, SECTION 7, TOWNSHIP 32 S
EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS
PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW INDIAN
FLORIDA, LESS THE SOUTH 60 FEET THEREOF FOR ROAD RIGHT OF WAY, AND ALSO LES
FEET OF THE SOUTH 770.04 FEET OF THE ABOVE DESCRIBED PARCEL.

CONTAINING 1,191 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.



SURVEYORS NOTES

- 1) THIS IS A SKETCH OF LEGAL DESCRIPTION ONLY, NOT A BOUNDARY RETRACEMENT SURVEY.
- 2) THE BEARING BASE FOR THIS SURVEY, IS THE WEST LINE OF SECTION 8. SAID LINE BEARS NORTH 00°00'25" EAST.
- 3) THE SCALE OF THIS DRAWING MAY HAVE BEEN DISTORTED DURING REPRODUCTION PROCESSES.
- 4) THIS DRAWING IS BASED ON THE PRELIMINARY RIGHT OF WAY MAP FOR 66TH AVENUE PREPARED BY BURDETTE AND ASSOCIATES, DATED 10-10-06, AS DIRECTED BY INDIAN RIVER COUNTY, FLORIDA.

LEGEND

---	SECTION
---	EASEMENT
---	PROPER
---	PROPOSED
---	DEDICATION
---	RIGHT OF
---	WAY
---	POINT OF
---	COMPLETION
---	RIGHT OF
---	WAY
---	OFFICIAL
---	PAGE
---	TEMPORARY
---	EASEMENT

Drawing name: K:\VRL_Survey\2001