

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR THE CLOSING, ABANDONMENT, VACATION AND DISCONTINUANCE OF A PORTION OF 12TH AVENUE SW FROM 5TH STREET SW TO A POINT 165 FEET NORTH OF 7TH STREET SW AS SHOWN ON THE LAST GENERAL PLAT OF THE INDIAN RIVER FARMS COMPANY SUBDIVISION

WHEREAS, on December 13, 2016, the Indian River County Community Development Department received a duly executed and documented petition from the Indian River County Public Works Department 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 12th Avenue SW from 5th Street SW to a point 165 feet north of 7th Street SW as shown on the Last General Plat of The Indian River Farms Company Subdivision, as recorded in Plat Book 2, Page 25 of the Public Records of St. Lucie (now 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 portion of 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:

Being a Portion of 12th Avenue Southwest Right-of-Way, Lying in Section 24, Township 33 South, Range 39 East, as shown on the Last General Plat of The Indian River Farms Company Subdivision, as recorded in Plat Book 2, Page 25, of the Public Records of St. Lucie (now Indian River) County, Florida. Said parcel being more particularly described as follows:

Being the West 30.0 feet of the Northwest 1/4 of the Southwest 1/4 of said Section 24, Township 33 South, Range 39 East lying adjacent and contiguous to the West line of Tract 12, according to said Last General Plat of The Indian River Farms Company Subdivision, less the North 30.00 feet thereof for the Indian River Farms Water Control District Sub-Lateral J-1 Canal Right-of-way and less the South 165.00 feet thereof.

Containing 34,211 square feet, (0.78Acres) 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 this portion of public right-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. Ownership of the right-of-way shall revert entirely to the adjacent property to the east.

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	_____

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 _____, 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 and Description for: INDIAN RIVER COUNTY

Exhibit A

Legal Description (12th Avenue SW Right -of-Way Abandonment)

Being a Portion of 12th Avenue Southwest Right-of-Way, Lying in Section 24, Township 33 South, Range 39 East, as shown on the Last General Plat of The Indian River Farms Company Subdivision, as recorded in Plat Book 2, Page 25, of the Public Records of St. Lucie (now Indian River) County, Florida. Said parcel being more particularly described as follows:

Being the West 30.0 feet of the Northwest 1/4 of the Southwest 1/4 of said Section 24, Township 33 South, Range 39 East. lying adjacent and contiguous to the West line of Tract 12, according to said Last General Plat of The Indian River Farms Company Subdivision, less the North 30.00 feet thereof for the Indian River Farms Water Control District Sub-Lateral J-1 Canal Right-of-way and less the South 165.00 feet thereof.

Containing 34,211 square feet, (0.78Acres) more or less

Surveyor's Notes

- 1) This sketch and Legal Description was prepared with the benefit of a Boundary Survey prepared by Indian River County Survey Section, Job No. 1601, Dated June 23, 2016
- 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 legal description.
 - (B) Reproductions of the description and sketch are not valid unless signed and sealed with an embossed surveyor's seal.

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.

6-7-2017

Date of Signature

David M. Silon

Professional Surveyor and Mapper
Florida Certificate No. 6139

This is not a Boundary Survey

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

DATE: **6/06/17** DRAWN BY: **R. INGLETT**

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

SHEET: **1 OF 2** JOB NO: **1611**

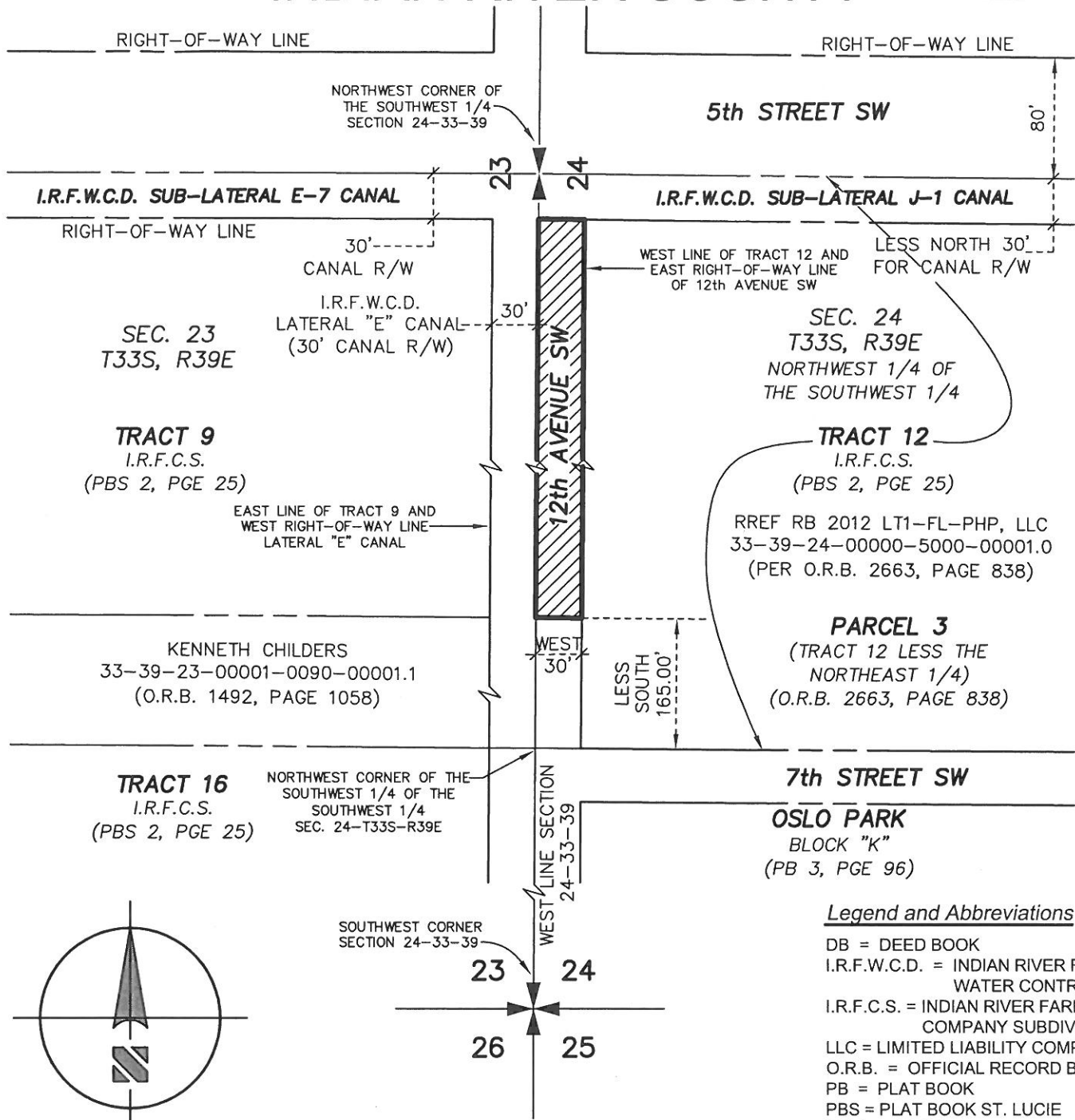
*Sketch and Legal Description
for:
INDIAN RIVER COUNTY*

Attachment 3

F:\Public Works\ENGINEERING DIVISION PROJECTS\1611 Osprey Acres Storm Water Project\Survey\dwg\1611-Lateral E Abandon Skt-1.gi

Sketch and Legal Description for: INDIAN RIVER COUNTY

Exhibit A



NOT TO SCALE

Legend and Abbreviations

- DB = DEED BOOK
- I.R.F.W.C.D. = INDIAN RIVER FARMS WATER CONTROL DISTRICT
- I.R.F.C.S. = INDIAN RIVER FARMS COMPANY SUBDIVISION
- LLC = LIMITED LIABILITY COMPANY
- O.R.B. = OFFICIAL RECORD BOOK
- PB = PLAT BOOK
- PBS = PLAT BOOK ST. LUCIE
- PGE. = PAGE
- R = RANGE
- R/W = RIGHT-OF-WAY
- SEC. = SECTION
- SW = SOUTHWEST
- T.I.I.F. = TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
- T = TOWNSHIP

This is not a Boundary Survey

AGENCY: INDIAN RIVER COUNTY, FL PUBLIC WORKS DEPT./ENGINEERING DIV.	
DATE: 6/06/17	DRAWN BY: R. INGLETT
SCALE: N/A	APPROVED BY: D.SILON
SHEET: 2 OF 2	JOB NO: 1611

*Sketch and Legal Description
for:
INDIAN RIVER COUNTY*

Attachment 3

F:\Public Works\ENGINEERING DIVISION PROJECTS\1611 Osprey Acres Storm Water Project\Survey\dwg\1611-Lateral E Abandon Skt-1.gi