

RESOLUTION NO. 2018-_____

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

RESOLUTION NO. 2018-_____

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 TD Bank, N.A. for 66th Avenue right-of-way, are hereby cancelled pursuant to the authority of section 196.28, F.S.

See attached Special Warranty Deed describing lands, recorded in O.R. Book 3088 at Page 367, 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:

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

RESOLUTION NO. 2018-_____

The Chairman thereupon declared the resolution duly passed and adopted this ____ day of March, 2018.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

By _____
Peter D. O'Bryan, Chairman

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

By: _____
Deputy Clerk

Tax Certificates Outstanding	<u> </u>	<input checked="" type="checkbox"/>
	Yes	No
Current Prorated Tax Received and Deposited with Tax Collector	\$ <u> </u>	<input checked="" type="checkbox"/>

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: William K. Debraal
WILLIAM K. DEBRAAL
DEPUTY COUNTY ATTORNEY



This Instrument Prepared by:

J.J. Gullett
GULLETT TITLE, INC.
401 Saint Johns Avenue
Palatka, Florida 32177-4724

Property Appraisers Parcel Identification (Folio) Numbers:

32390600001001000006.0

SPACE ABOVE THIS LINE FOR RECORDING DATA

SPECIAL WARRANTY DEED

THIS INDENTURE made and executed this 27th day of January, 2018 by **TD BANK, N.A.**, existing under the laws of The United States of America hereinafter called Grantor, and **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 Grantor, for and in consideration of the sum of Three thousand, five hundred and 00/100 (\$3,500.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee the following real property situate in the County of INDIAN RIVER, State of Florida, to wit:

All that certain piece, parcel or tract of land situate, lying and being a portion of Tract 1, Section 6, Township 32 South, Range 39 East, according to the last general plat of lands of the Indian River Farms Company as recorded in Plat Book 2, Page 25, of the Public Records of St. Lucie County, Florida, now lying and being in Indian River County, Florida; said lands being more particularly described as follows, to wit:

Beginning at the Southeast corner of the North 5 acres of the South 15 acres of said Tract 1, thence bearing North 89 degrees 43 minutes 25 seconds West, a distance of 42.04 feet to a point; said point being the beginning of a non-tangent curve concave Westerly, having a radius of 2,917.00 feet, a central angle of 02 degrees 47 minutes 03 seconds, a chord length of 141.73 feet bearing North 01 degrees 55 minutes 33 seconds East; thence, northerly along the arc of said curve, a distance of 141.74 feet to a point, thence, bearing North 00 degrees 32 minutes 02 seconds East, a distance of 28.82 feet to a point on the North line of the North 5 acres of the South 15 acres of said Tract 1, thence, bearing South 89 degrees 43 minutes 25 seconds East along said North line, a distance of 38.60 feet to a point, thence bearing South 00 degrees 32 minutes 02 seconds West, a distance of 170.48 feet to the POINT OF BEGINNING.

For identification purposes only, property address:

7555 66th Avenue
Vero Beach, FL 32967

Subject to all easement, rights-of-way; exceptions, covenants, conditions, restrictions, encroachments, reservations, encumbrances, access limitations, and all other matters or conditions affecting the Property of record (including all objections Seller has declined to cure and Purchaser has waived).

Special Warranty Deed
TD Bank | DIAZ
Page 2 of 2

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in fee simple.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the lawful claims and demands of all persons claiming by, through or under the above-named Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

TD BANK, N.A.

Katie Collins
WITNESS
Printed Name: Katie Collins

By: [Signature]
Carol C. Farnsworth, Vice President
P.O. Box 9540, Portland, ME 04112-9540

Cindy L. Rich
WITNESS
Printed Name: Cindy L. Rich

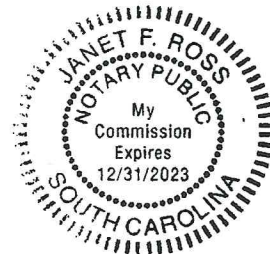
STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

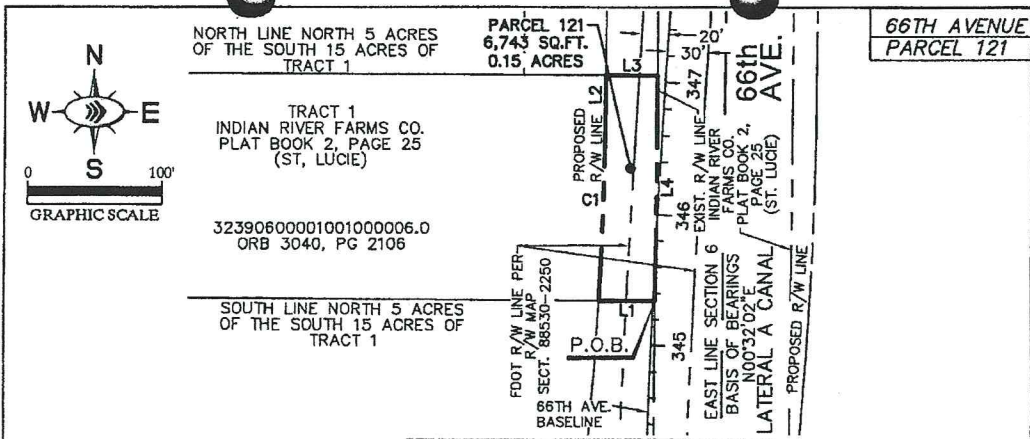
The foregoing instrument was acknowledged before, the undersigned Notary Public of the State and County aforesaid, this 23rd day of January, 2018 by Carol C. Farnsworth, Vice President whom personally appeared and proved to me to be the on the basis of satisfactory proof, the person who executed the foregoing instrument on behalf of TD BANK, N.A..

WITNESS my hand and official seal at office this 23rd day of January, 2018.

Janet A. Ross
Notary Public

My Commission Expires: 12/31/2023





LINE TABLE		
LINE	LENGTH	BEARING
L1	42.04	N89°43'25"W
L2	28.82	N00°32'02"E
L3	38.60	S89°43'25"E
L4	170.48	S00°32'02"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	BEARING	DELTA
C1	141.74	2917.00	70.88	141.73	N01°55'33"E	02°47'03"

LEGAL DESCRIPTION
RIGHT OF WAY PARCEL

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PORTION OF TRACT 1, SECTION 6, TOWNSHIP 32 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF LANDS OF THE INDIAN RIVER FARMS COMPANY AS RECORDED IN PLAT BOOK 2, PAGE 25 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA; SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT;

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH 5 ACRES OF THE SOUTH 15 ACRES OF SAID TRACT 1, THENCE, BEARING NORTH 89°43'25" WEST, A DISTANCE OF 42.04 FEET TO A POINT;

SAID POINT BEING THE BEGINNING OF A NON TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2,917.00 FEET, A CENTRAL ANGLE OF 02°47'03", A CHORD LENGTH OF 141.73 FEET BEARING NORTH 01°55'33" EAST;

THENCE, NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 141.74 FEET TO A POINT;

THENCE, BEARING NORTH 00°32'02" EAST, A DISTANCE OF 28.82 FEET TO A POINT ON THE NORTH LINE OF THE NORTH 5 ACRES OF THE SOUTH 15 ACRES OF SAID TRACT 1,

THENCE, BEARING SOUTH 89°43'25" EAST ALONG SAID NORTH LINE, A DISTANCE OF 38.60 FEET TO A POINT;

THENCE, BEARING SOUTH 00°32'02" WEST, A DISTANCE OF 170.48 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PREMISES CONTAIN AN AREA OF 6,743 SQUARE FEET OR 0.15 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, CONDITIONS AND RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

PROPOSED ACQUISITION PARCEL ACREAGE = 0.15 ACRES
 PORTION OF THE ACQUISITION PARCEL THAT IS ENCUMBERED BY THE FDOT RIGHT-OF-WAY = 0.07 ACRES

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 EAST LINE OF SECTION 7. SAID LINE BEARS NORTH 00°00'25" EAST.
- 3) THE SCALE OF THIS DRAWING MAY HAVE BEEN DISTORTED DURING REPRODUCTION PROCESSES.
- 4) THIS LEGAL DESCRIPTION AND SKETCH 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 LINE
---	EASEMENT LINE
---	PROPERTY LINE
---	PROPOSED RIGHT OF WAY PARCEL
---	RIGHT OF WAY LINE
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R/W	RIGHT OF WAY
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
SECT.	SECTION

This certifies that a legal description and sketch of the property shown hereon was made under my supervision and that this legal description and sketch meets the standards of practice set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes, and that this drawing is a true and accurate representation thereof to the best of my knowledge and belief. Subject to noted notations shown hereon.

E. C. Demeter
 E.C. DEMETER, P.S.M. NO. 3179
 DATE: 11-30-17
 Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

Drawing name: K:\VIB_Survey\INDIAN RIVER CO\66TH AVENUE\2017-0112 - Revised Per R/W PARCEL 121 - R.ding 121 Nov 30, 2017 2:51pm By: chrisdemeter

SCALE 1"=100'	<p>© 2017 KIMLEY-HORN AND ASSOCIATES, INC. 448 24TH STREET, SUITE 200, VERO BEACH, FL 32980 PHONE: 772-794-4100 FAX: 772-794-4130 WWW.KIMLEY-HORN.COM</p>	DATE 11/30/17	LEGAL DESCRIPTION AND SKETCH OF PARCEL 121 INDIAN RIVER COUNTY, FLORIDA
DESIGNED BY DFD		PROJECT NO. 047035041	