

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

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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 SBA Towers III LLC, for 65th Street right-of-way in connection with the 66th Avenue 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 3072 at Page 1748, 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	_____

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The Chairman thereupon declared the resolution duly passed and adopted this ____ day of January, 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>	

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**
BY William K. DeGraal
WILLIAM K. DEGRAAL
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.: 47083500

Property Appraisers Parcel Identification (Folio) Number: 32-39-08-00001-0050-00001/0

Florida Documentary Stamps in the amount of \$183.40 have been paid hereon.

Space above this line for Recording Data _____

WARRANTY DEED

THIS WARRANTY DEED, made the 21 day of November, 2017, by SBA Towers III LLC, a Florida limited liability company, whose post office address is 8051 Congress Avenue, Boca Raton, FL 33487, herein called the Grantor, 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 Grantor, 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 30.00 feet of the South 80 feet of the following described Parcel as recorded in Official Records Book 822, Page 799, Public Records of Indian River County, Florida.

The West 20 acres of Tract 5, Section 8, Township 32 South, Range 39 East, according to the Plat of Indian River Farms Company filed in the office of the clerk of the circuit court of St. Lucie County, Florida, in Plat Book 2, Page 25, now part of the records of Indian River County, Florida.

TOGETHER with a non-exclusive access easement over all that certain land situate in INDIAN RIVER County, State of Florida, viz.:

Access easement

All that certain piece, Parcel or Tract of land situate, lying and being in Section 8, Township 32 South, Range 39 East of the Tallahassee Base Meridian, Indian River County, Florida. Said lands being more particularly described as follows, to wit:

Commencing for reference at the West Quarter corner of said Section 8, thence, bearing North 00 degrees 00 minutes 25 seconds East, a distance of 79.87 feet to a point; thence, bearing South 89 degrees 59 minutes 35 seconds East, a distance of 50.00 feet to the point and place of beginning of the herein described Parcel; thence, bearing North 00 degrees 00 minutes 25 seconds East, a distance of 25.00 feet to a point; thence, bearing South 89 degrees 50 minutes 23 seconds East, a distance of 100.00 feet to a point; thence, bearing South 00 degrees 00 minutes 25 seconds West, a distance of 25.00 feet to a point; thence, bearing North 89 degrees 50 minutes 23 seconds West, a distance of 100.00 feet to the Point of Beginning.

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 Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants 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 Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Monica R. Pulver
Witness #1 Signature

Monica R. Pulver
Witness #1 Printed Name

Tammy L. Mastrella
Witness #2 Signature

TAMMY MASTRELLA
Witness #2 Printed Name

SBA Towers III LLC, a Florida limited liability company

Sharon S. Schwartz (Seal)

SHARON S. SCHWARTZ its V.P. & Assoc. General Counsel

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me this 21ST day of November, 2017, by SHARON S. SCHWARTZ, the V.P. & Assoc. General Counsel of SBA Towers III LLC, a Florida limited liability company, who is personally known to me or has produced N/A as identification.

SEAL

Tammy L. Mastrella
Notary Public
Tammy L. Mastrella
Printed Notary Name

My Commission Expires:

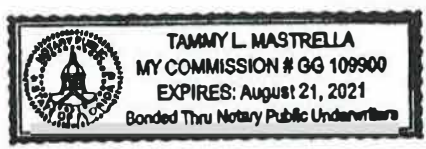
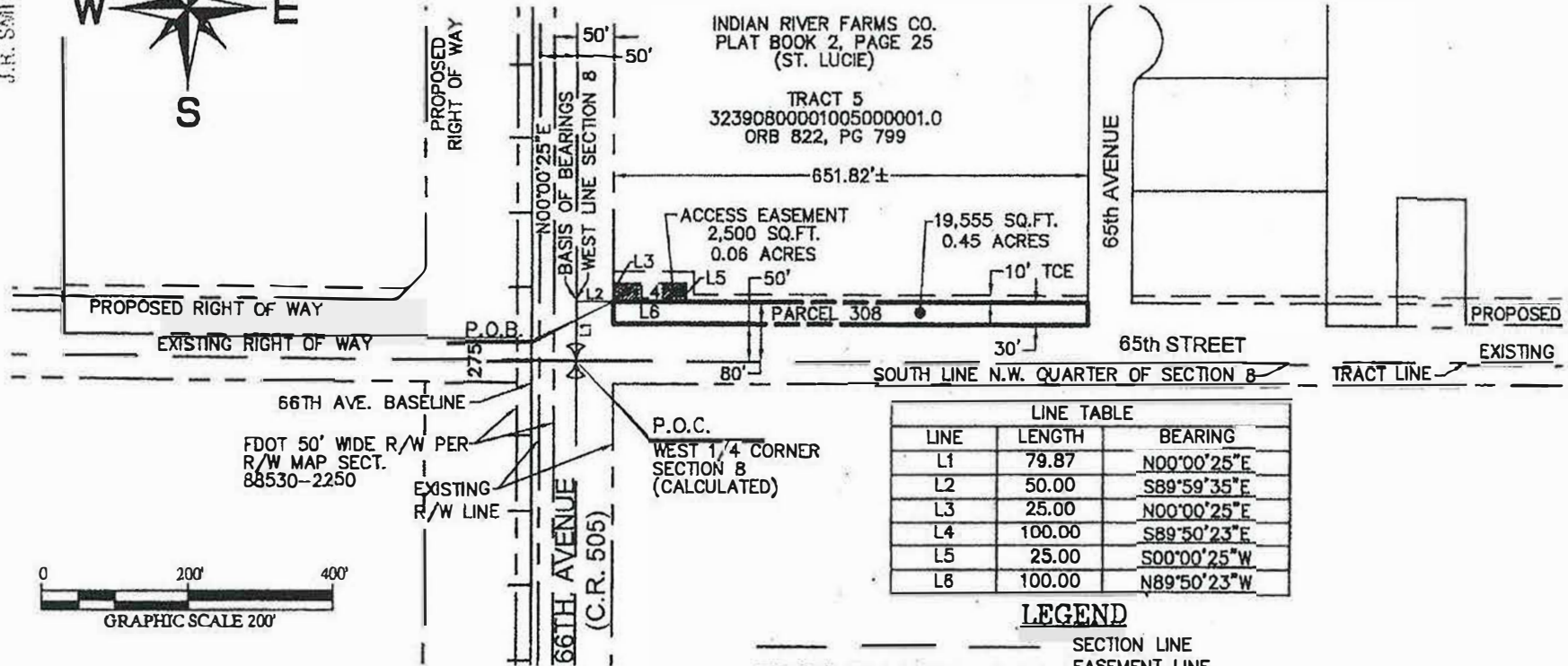
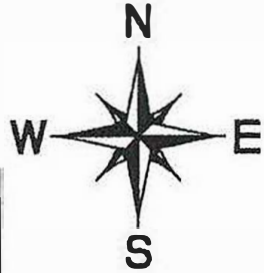


EXHIBIT "B"

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



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.

---	SECTION LINE
---	EASEMENT LINE
---	PROPERTY LINE
---	PROPOSED RIGHT OF WAY
---	DEDICATION
---	RIGHT OF WAY LINE
---	ACCESS EASEMENT
■	POINT OF COMMENCEMENT
P.O.C.	POINT OF BEGINNING
P.O.B.	RIGHT OF WAY
R/W	OFFICIAL RECORDS BOOK
ORB	PAGE
PG	TEMPORARY CONSTRUCTION
TCE	EASEMENT

This certifies that a legal description hereon was made under my supervision and sketch meets the standards Board of Professional Surveyors a Administrative Code, pursuant to that this drawing is a true and a best of my knowledge and belief, hereon.

E.C. Demeter
E.C. DEMETER, P.S.M. NO. 5179

DATE: 2-06-17
Not valid without the signature of licensed surveyor and mapper.