

RESOLUTION NO. 2019-____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, APPROVING A THIRD AMENDMENT TO LEASE AGREEMENT WITH THE GIFFORD YOUTH ACHIEVEMENT CENTER, INC., FOR COUNTY OWNED PROPERTY KNOWN AS THE GIFFORD YOUTH ACHIEVEMENT CENTER.

WHEREAS, the Gifford Youth Activity Center, Inc. n/k/a the Gifford Youth Achievement Center, Inc. ("GYAC"), and the Board of County Commissioners (Board) entered into a Lease Agreement for County-owned property located at 4875 43rd Avenue, Vero Beach, Indian River County, Florida ("Property") on November 19, 2002, for a term of 40-years, at a rental rate of \$1.00 per year for use as an activity center for area youths; and

WHEREAS, on January 20, 2015, the Board amended and extended the Lease Agreement to a term of 99-years to continue their use of the Property; and

WHEREAS, On March 6, 2018, the Board approved a Second Amendment to Lease Agreement for GYAC to construct a one story classroom building on the Property that in the future could be expanded to add a second floor and to construct such future improvements with the prior consent of the Board; and

WHEREAS, during the construction process, it was discovered that an additional 780 square feet (0.02 acres) needed to be added to the Lease Agreement to be used for stormwater treatment; and

WHEREAS, the Board of County Commissioners finds that such use of the County owned Property promotes the County's interests and welfare; and

WHEREAS, the GYAC is a Florida not for profit corporation and a corporation organized exclusively for charitable and educational purposes as set forth in section 501(c)(3) of the Internal Revenue Code of 1986, as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA:

1. In accordance with Florida Statutes §125.38, the Board finds that:
 - a. The Gifford Youth Achievement Center, Inc. ("GYAC") has made proper application as required for a Third Amendment to the lease of the Property;
 - b. the 0.02acre Property is not needed for County purposes;
 - c. The use of the Property for stormwater treatment for the a classroom and youth achievement center promotes the County interests and welfare;
2. The Board approves and authorizes the Chairman to execute the Third Amendment to Lease Agreement between the Board and the GYAC, adding an additional 0.02 acres to the Property for stormwater treatment, described in the attached Exhibit "A".
3. The Third Amendment to Lease Agreement is entered into pursuant to the authority of Florida Statutes §125.01 and §125.38.

RESOLUTION NO. 2019-____

The foregoing Resolution was offered by Commissioner _____ and seconded by Commissioner _____, and, upon being put to a vote, the vote was as follows:

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

The Chairman thereupon declared the Resolution duly passed and adopted this 26th day of March, 2019.

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

INDIAN RIVER COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

By _____
Deputy Clerk

By _____
Bob Solari, Chairman

Approved:

Jason E. Brown
County Administrator

Approved as to form and legal sufficiency:



William K. DeBraal
Deputy County Attorney

Exhibit "A"
Legal Description & Sketch
for a Stormwater Easement
at the Gifford Youth Achievement Center Site
Indian River County, Florida

Sheet 1 of 2

Not Valid Without All Sheets

SURVEYORS NOTES

- 1) THE BASIS OF BEARINGS IS THE EAST LINE OF SECTION 21 WHICH BEARS S00°10'46"W.
- 2) THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
- 3) ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.
- 4) THIS SKETCH MEETS THE STANDARD PRACTICES FOR SURVEYING AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

LEGEND

R/W	RIGHT-OF-WAY
NO.	NUMBER
R	RADIUS
L	LENGTH
CH	CHORD DISTANCE
CB	CHORD BEARING
PSM	PROFESSIONAL SURVEYOR AND MAPPER
Δ	DELTA
N	NORTH
S	SOUTH
E	EAST
W	WEST
GYAC	GIFFORD YOUTH ACHIEVEMENT CENTER

LEGAL DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF TRACT 9, SECTION 21, TOWNSHIP 32 SOUTH, RANGE 39 EAST; THENCE S00°10'46"W, ALONG THE EAST LINE OF SAID SECTION 21; A DISTANCE OF 30.00 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF THE LATERAL A-8 CANAL; THENCE N89°46'19"W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 612.89 FEET TO THE NORTHWEST CORNER OF THE EXISTING GIFFORD YOUTH ACHIEVEMENT CENTER LEASE; THENCE SOUTH 00°10'46" WEST ALONG THE SAID GIFFORD YOUTH ACHIEVEMENT CENTER LEASE BOUNDARY A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE CONTINUE SOUTHERLY ALONG SAID LEASE BOUNDARY LINE, A DISTANCE OF 10.00 FEET; THENCE CONTINUE ALONG SAID LEASE LINE SOUTH 22°49'08" EAST, A DISTANCE OF 38.15 FEET; THENCE, LEAVING SAID LEASE BOUNDARY, NORTH 48°47'57" WEST, A DISTANCE OF 55.00 FEET; THENCE NORTH 08°53'43" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 76°23'28" EAST, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING. CONTAINING 779.42 SQUARE FEET OR 0.0179 ACRES, MORE OR LESS.

SKETCH OF LEGAL DESCRIPTION "This is NOT a Boundary Survey"	Drawn by: BMM	Checked by: DMT	File name 7158	Date 2/25/19	Scale NONE	Drawing Name 7158-Pond-ease
--	------------------	--------------------	-------------------	-----------------	---------------	--------------------------------



Masteller, Moler & Taylor, Inc.

PROFESSIONAL SURVEYORS AND MAPPERS

LAND SURVEYING BUSINESS #4644

1655 27th Street, Suite 2 Vero Beach, Florida 32960
 Phone: (772) 564-8050 Fax: (772) 794-0647

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

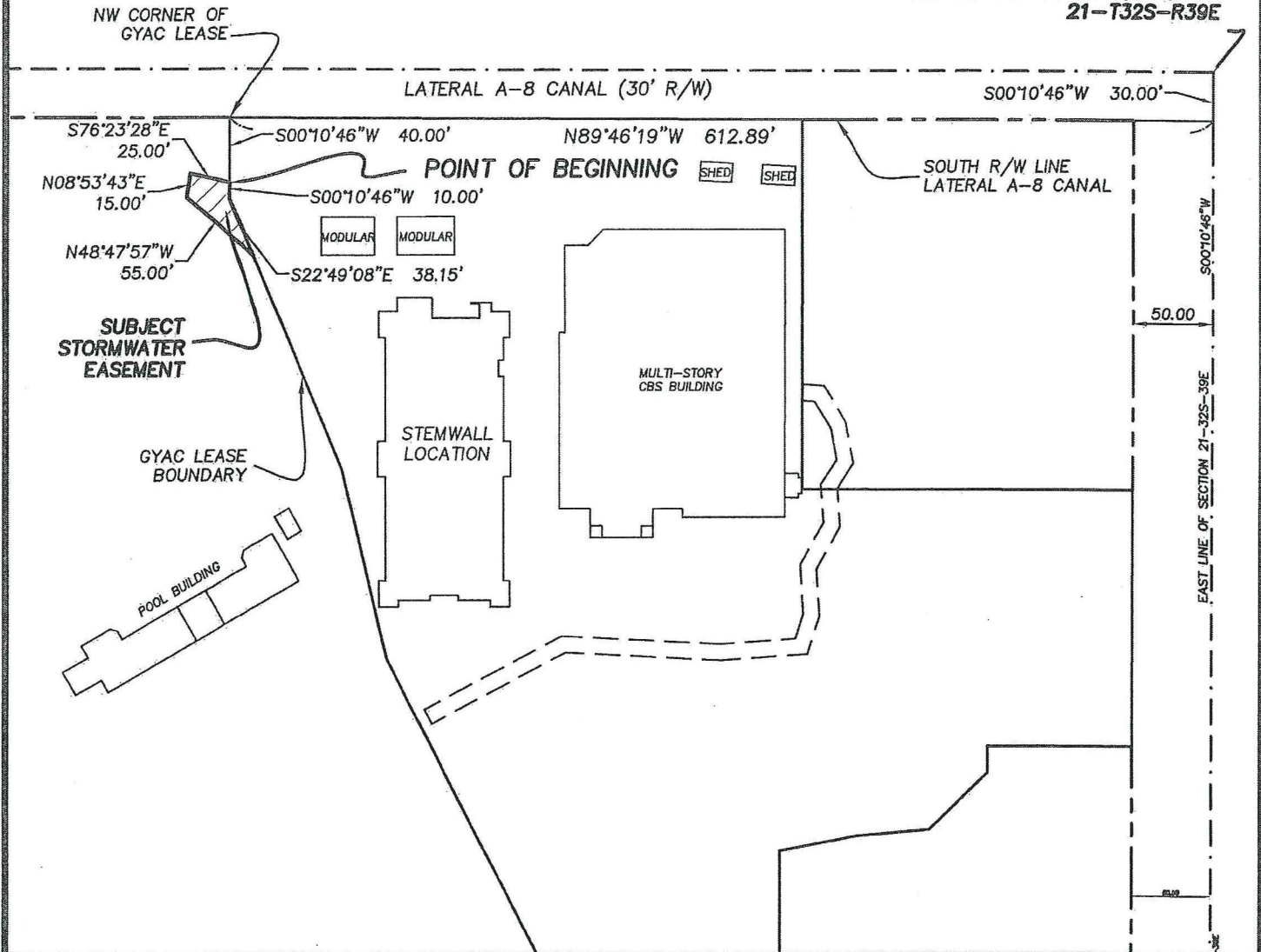
David Taylor
 DAVID TAYLOR P.L.S. 5243

Exhibit "A"
Legal Description & Sketch
for a Stormwater Easement
at the Gifford Youth Achievement Center Site
Indian River County, Florida

Sheet 2 of 2

Not Valid Without All Sheets

POINT OF COMMENCEMENT
 NE CORNER TRACT 9, SECTION
 21-T32S-R39E



LEGAL DESCRIPTION & SKETCH "This is NOT a Boundary Survey"	Drawn by: BMM	Checked by: DMT	File name 7158	Date 2/25/19	Scale 1"=80'	Drawing Name 7158-pond-ease
---	------------------	--------------------	-------------------	-----------------	-----------------	--------------------------------



Masteller, Moler & Taylor, Inc.

PROFESSIONAL SURVEYORS AND MAPPERS

LAND SURVEYING BUSINESS #4644

1655 27th Street, Suite 2 Vero Beach, Florida 32960
 Phone: (772) 564-8050 Fax: (772) 794-0647

NOT VALID WITHOUT THE SIGNATURE AND
 THE ORIGINAL RAISED SEAL OF A FLORIDA
 LICENSED SURVEYOR AND MAPPER

David Taylor
 DAVID TAYLOR P.L.S. 5243