

RESOLUTION 2023-\_\_\_\_\_

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR THE CLOSING, ABANDONMENT, VACATION AND DISCONTINUANCE OF A PUBLIC ACCESS EASEMENT LOCATED IN INDIAN RIVER COUNTY, FLORIDA.

WHEREAS, Indian River County originally received a duly executed and documented petition from Pulte Homes Company, LLC, requesting that the County close, vacate, abandon, discontinue, renounce and disclaim any right, title and interest of the County and the public in and of the public access easement described in the Official Records of Indian River County, Book 2067, Page 1140 located in 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 public access easement is 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:

A PUBLIC ACCESS EASEMENT OVER A PORTION OF SECTIONS 28 AND 33. TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 6, SECTION 28, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA; SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN N 00°20'28"W ALONG THE WEST LINE OF THE AFORESAID GOVERNMENT LOT 6 A DISTANCE OF 44.32 FEET; THENCE LEAVING THE AFORESAID WEST LINE OF THE AFORESAID GOVERNMENT LOT 6 RUN N 44°46'01"E A DISTANCE OF 143.58 FEET; THENCE CONTINUE N 44°46'01"E A DISTANCE OF 398.18 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 115.00 FEET THRU A CENTRAL ANGLE OF 22°23'11" AND RUN AN ARC DISTANCE OF 44.93 FEET; THENCE RUN N 67°09'12"E A DISTANCE OF 24.87 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 23.00 FEET THRU A CENTRAL ANGLE OF 89°46'18" AND RUN AN ARC DISTANCE OF 36.04 FEET TO A POINT ON A REVERSE CURVATURE TO THE RIGHT HAVING A RADIUS OF 1053.00 FEET THRU A CENTRAL ANGLE OF 05°09'01" AND RUN AN ARC DISTANCE OF 94.65 FEET: THENCE RUN N 17°28'05"W A DISTANCE OF 51.72 FEET: THENCE RUN N 22°16'54"W A DISTANCE OF 95.34 FEET: THENCE RUN N 17°28'05"W A DISTANCE OF 17.46 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 239.00 FEET THRU A CENTRAL ANGLE OF

RESOLUTION 2023-\_\_\_\_\_

25°13'02" AND RUN AN ARC DISTANCE OF 105.19 FEET; THENCE RUN N42°41'07"W A DISTANCE OF 127.46 FEET TO INTERSECT WITH THE SOUTHERN RIGHT-OF-WAY LINE OF COUNTY ROAD 510; THENCE RUN ON A NON-TANGENT CURVATURE CONCAVE TO THE RIGHT HAVING A CHORD BEARING OF N46°28'25"E HAVING A RADIUS OF 2824.80 FEET THRU A CENTRAL ANGLE OF 02°13'53" AND RUN AN ARC DISTANCE OF 110.02 FEET; THENCE RUN S42°41'07"E AND LEAVING THE AFORESAID SOUTHERN RIGHT-OF-WAY LINE OF COUNTY ROAD 510. A DISTANCE OF 129.08 FEET TO A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 349.00 FEET THRU A CENTRAL ANGLE OF 25°13'02" AND RUN AN ARC DISTANCE OF 153.60 FEET; THENCE RUN S17°28'05"E A DISTANCE OF 70.97 FEET; THENCE RUN S12°35'20"E A DISTANCE OF 94.05 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 959.00 FEET THRU A CENTRAL ANGLE OF 05°07'12" AND RUN AN ARC DISTANCE OF 85.69 FEET; THENCE RUN S22°50'48"E A DISTANCE OF 68.71 FEET; THENCE RUN S67°09'12"W A DISTANCE OF 147.80 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET THRU CENTRAL ANGLE OF 22°23'11" AND RUN AN ARC DISTANCE OF 13.68 FEET; THENCE RUN S44°46'01"W A DISTANCE OF 404.12 FEET; THENCE CONTINUE S44°46'01"W A DISTANCE OF 79.95 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 138.00 FEET THRU A CENTRAL ANGLE OF 44°56'53" AND RUN AN ARC DISTANCE OF 108.26 FEET; THENCE RUN S00°10'52"E A DISTANCE OF 397.88 FEET; THENCE CONTINUE S00°10'52"E A DISTANCE OF 462.27 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 180.00 FEET THRU A CENTRAL ANGLE OF 15°29'16" AND RUN AN ARC DISTANCE OF 48.66 FEET; THENCE RUN S15°18'23"W A DISTANCE OF 21.83 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 140.76 FEET THRU A CENTRAL ANGLE OF 47°25'29" AND RUN AN ARC DISTANCE OF 116.51 FEET; THENCE RUN S32°07'06"E A DISTANCE OF 194.22 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET THRU A CENTRAL ANGLE OF 40°41'14" AND RUN AN ARC DISTANCE OF 56.81 FEET; THENCE RUN S72°48'20"E A DISTANCE OF 26.08 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 135.00 FEET THRU A CENTRAL ANGLE OF 25°18'24" AND RUN AN ARC LENGTH OF 59.63 FEET TO A POINT ON A COMPOUND CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 425.00 FEET THRU A CENTRAL ANGLE OF 04°00'46" AND RUN AN ARC DISTANCE OF 29.77 FEET; THENCE RUN S43°29'10"E A DISTANCE OF 74.35 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 420.82 FEET WITH A CENTRAL ANGLE OF 20°42'38" AND RUN AN ARC DISTANCE OF 152.11 FEET; THENCE RUN S 19°27'03"E A DISTANCE OF 56.66 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET THRU A CENTRAL ANGLE OF 28°29'28" AND RUN AN ARC DISTANCE OF 59.67 FEET; THENCE RUN S09°02'25"W A DISTANCE OF 38.50 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET THRU A CENTRAL ANGLE OF 39°38'22" AND RUN AN ARC DISTANCE OF 55.35 FEET; THENCE RUN S30°21'36"E A DISTANCE OF 140.54 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS

RESOLUTION 2023-\_\_\_\_\_

OF 140.00 FEET THRU A CENTRAL ANGLE OF 59°31'08" AND RUN AN ARC DISTANCE OF 145.43 FEET: THENCE RUN S89°39'20"E A DISTANCE OF 403.64 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET THRU A CENTRAL ANGLE OF 34°11'00" AND RUN AN ARC DISTANCE OF 47.73 FEET: THENCE RUN N56°09'40"E A DISTANCE OF 15.47 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 150.00 FEET THRU A CENTRAL ANGLE OF 34°08'18" AND RUN AN ARC DISTANCE OF 89.37 FEET: THENCE RUN S89°42'02"E A DISTANCE OF 115.10 FEET: THENCE RUN S00°03'18"W A DISTANCE OF 18.46 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 33.50 FEET THRU A CENTRAL ANGLE OF 29°41'37" AND RUN AN ARC DISTANCE OF 17.36 FEET TO A POINT ON A REVERSE CURVATURE TO THE CONCAVE TO THE LEFT HAVING A RADIUS OF 38.00 FEET THRU A CENTRAL ANGLE OF 29°42'35" AND RUN AN ARC DISTANCE OF 19.70 FEET: THENCE RUN S00°00'53"E A DISTANCE OF 34.47 FEET TO INTERSECT WITH THE NORTH RIGHT-OF-WAY LINE OF 82ND. STREET: THENCE RUN N89°43'27"W ALONG THE AFORESAID NORTH RIGHT-OF-WAY LINE OF 82ND STREET A DISTANCE OF 57.33 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE LEFT WITH A CHORD BEARING OF N13°24'38"W HAVING A RADIUS OF 20.90 FEET THRU A CENTRAL ANGLE OF 142°12'41" AND RUN AN ARC DISTANCE OF 51.87 FEET: THENCE RUN N89°42'02"W A DISTANCE OF 51.22 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET THRU A CENTRAL ANGLE OF 30°58'53" AND RUN AN ARC DISTANCE OF 54.07 FEET: THENCE RUN S59°19'05"W A DISTANCE OF 11.52 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 127.00 FEET THRU A CENTRAL ANGLE OF 31°01'35" AND RUN AN ARC DISTANCE OF 68.77 FEET TO INTERSECT WITH THE AFORESAID NORTH RIGHT-OF-WAY LINE OF 82ND. STREET: THENCE RUN N89°39'20"W ALONG THE NORTH RIGHT-OF-WAY LINE OF 82ND. STREET A DISTANCE OF 403.64 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT AND LEAVING THE AFORESAID NORTH RIGHT-OF-WAY LINE OF 82ND STREET HAVING A RADIUS OF 180.00 FEET THRU A CENTRAL ANGLE OF 59°31'08" AND RUN AN ARC DISTANCE OF 186.98 FEET: THENCE RUN N30°21'36"W A DISTANCE OF 140.54 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET THRU A CENTRAL ANGLE OF 39°38'22" AND RUN AN ARC DISTANCE OF 83.02 FEET: THENCE RUN N09°02'25"E A DISTANCE OF 17.54 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET THRU A CENTRAL ANGLE OF 28°29'28" AND RUN AN ARC DISTANCE OF 39.78 FEET: THENCE RUN N19°27'03"W A DISTANCE OF 75.08 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 365.00 FEET THRU A CENTRAL ANGLE OF 02°57'17" AND RUN AN ARC DISTANCE OF 18.82 FEET TO A POINT ON A COMPOUND CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 18.00 FEET THRU A CENTRAL ANGLE OF 99°07'19" AND RUN AN ARC DISTANCE OF 31.14 FEET: THENCE RUN S58° 28'20"W A DISTANCE OF 84.97 FEET TO INTERSECT WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1: THENCE RUN N3°30'36"W ALONG THE AFORESAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 74.24 FEET: THENCE RUN N58°22'46"E AND LEAVING THE

RESOLUTION 2023-\_\_\_\_\_

AFORESAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO.1 A DISTANCE OF 85.12 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 18.00 FEET THRU A CENTRAL ANGLE OF 101°51'56" AND RUN AN ARC DISTANCE OF 32.00 FEET: THENCE RUN N43°29'10"W A DISTANCE OF 69.18 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 375.00 FEET THRU A CENTRAL ANGLE OF 04°00'46" AND RUN AN ARC DISTANCE OF 26.26 FEET TO A POINT ON A COMPOUND CURVATURE CONCAVE TO THE LEFT HAVING A RADIUS OF 85.00 FEET THRU A CENTRAL ANGLE OF 25°18'24" AND RUN AN ARC DISTANCE OF 37.54 FEET: THENCE RUN N72°48'20"W A DISTANCE OF 14.52 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET THRU A CENTRAL ANGLE OF 40°41'30" AND RUN AN ARC DISTANCE OF 85.22 FEET: THENCE RUN N32°06'50"W A DISTANCE OF 209.48 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 180.00 FEET THRU A CENTRAL ANGLE OF 47°25'15" AND RUN AN ARC DISTANCE OF 148.98 FEET: THENCE RUN N15°08'52"E A DISTANCE OF 38.98 FEET TO INTERSECT WITH THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF 46TH AVENUE: THENCE RUN N00°08'05"W ALONG THE EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 483.78 FEET: THENCE CONTINUE N00°08'05"W A DISTANCE OF 441.34 FEET TO THE POINT OF BEGINNING.

Lying and being in Indian River County, Florida, is hereby forever closed, abandoned, renounced, disclaimed, and vacated (see attached Exhibit A).

2. The closing, vacation, and abandonment of this segment of public access easement 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. A replacement public access easement will be recorded via a separate instrument.

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 H. Earman	_____
Vice Chairman Susan Adams	_____
Commissioner Joseph E. Flescher	_____
Commissioner Deryl Loar	_____
Commissioner Laura Moss	_____

RESOLUTION 2023-\_\_\_\_\_

The Chairman thereupon declared the resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

BOARD OF COUNTY COMMISSIONERS  
INDIAN RIVER COUNTY, FLORIDA

BY: \_\_\_\_\_  
Joseph H. Earman, Chairman

ATTEST: Ryan L. Butler, Clerk of Court and Comptroller

BY: \_\_\_\_\_  
Deputy Clerk  
State of Florida  
County of Indian River

I HEREBY CERTIFY that on this day, before me, an 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public

APPROVED AS TO LEGAL SUFFICIENCY

BY: \_\_\_\_\_  
Dylan Reingold, County Attorney

APPROVED AS TO PLANNING MATTERS

BY: \_\_\_\_\_  
Andrew Sobczak, Interim Community Development Department

Public Access Easement  
Bristol Bay  
instrument prepared by and  
should be returned to the  
County Attorney's Office  
1840 25<sup>th</sup> Street, Vero Beach, FL

### Exhibit A

#### EASEMENT

This Grant of Easement, made and executed this 11<sup>th</sup> day of AUGUST, A.D., 2006, by IHP INVESTMENT FUND III, L.P., a California limited partnership, 19800 MacArthur Blvd., Suite 700, Irvine, CA 92612, hereinafter called GRANTOR\*, to INDIAN RIVER COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 1840 25th Street, Vero Beach, FL 32960, hereinafter called GRANTEE\*,

\*Whenever used herein the term GRANTOR and GRANTEE include all parties to this instrument and their heirs, legal representatives, successors, and assigns.

#### WITNESSETH:

That GRANTOR for and in consideration of the sum of One Dollar and other consideration, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey, and confirm unto the GRANTEE an easement for **ACCESS PURPOSES** on, over, across, and beneath the following described land, together with the right of reasonable ingress and egress over and across the following described land as is necessary to the GRANTEE's use of the right granted herein, situate in Indian River County, Florida, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

And GRANTOR hereby covenants with said GRANTEE that it is lawfully seized of the premises in fee simple, and that it has good right and lawful authority to convey the easement established hereby.

IN WITNESS WHEREOF, the GRANTOR has herein set its hand and seal the day and year first above written.

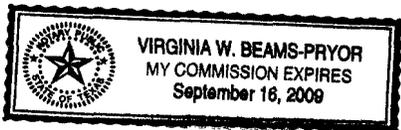
Signed in the presence of:

sign: Katie Arcement  
Witness  
Printed name: Katie Arcement  
sign: Hunter Simon  
Witness  
Printed name: Hunter Simon

IHP INVESTMENT FUND III, L.P.  
a California Limited Partnership,  
By - INSTITUTIONAL HOUSING PARTNERS  
III, L.P., a California Limited Partnership,  
its General Partner,  
By - IHP CAPITAL PARTNERS, a  
California corporation, its General Partner  
By David R. Blom  
Name and title: **David R. Blom,  
Senior Vice President**  
By Katherine R. Russell  
Name and title: **Katherine R. Russell  
Vice President**

STATE OF TEXAS )  
 ) ss.  
COUNTY OF DALLAS )

The foregoing instrument was acknowledged before me this 11 day of August, 2006, by DAVID K. BIOM as SR VICE PRESIDENT and KATHERINE K. RUSSELL as VICE PRESIDENT, of IHP Capital Partners, a California corporation, General Partner of Institutional Housing Partners III, L.P., a California limited partnership, General Partner of IHP Investment Fund III, L.P., a California limited partnership, on behalf of the corporation and partnerships, who is personally known to me or produced \_\_\_\_\_ as identification.



Virginia W. Beams-Pryor  
Notary Public  
VIRGINIA W. BEAMS-PRYOR

LEGAL DESCRIPTION

A PUBLIC ACCESS EASEMENT OVER A PORTION OF SECTIONS 28 AND 33, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 6, SECTION 28, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA; SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN N 00°20'28"W ALONG THE WEST LINE OF THE AFORESAID GOVERNMENT LOT 6 A DISTANCE OF 44.32 FEET; THENCE LEAVING THE AFORESAID WEST LINE OF THE AFORESAID GOVERNMENT LOT 6 RUN N 44°46'01"E A DISTANCE OF 143.58 FEET; THENCE CONTINUE N 44°46'01"E A DISTANCE OF 398.18 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 115.00 FEET THRU A CENTRAL ANGLE OF 22°23'11" AND RUN AN ARC DISTANCE OF 44.93 FEET; THENCE RUN N 67°09'12"E A DISTANCE OF 24.87 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 23.00 FEET THRU A CENTRAL ANGLE OF 89°46'18" AND RUN AN ARC DISTANCE OF 36.04 FEET TO A POINT ON A REVERSE CURVATURE TO THE RIGHT HAVING A RADIUS OF 1053.00 FEET THRU A CENTRAL ANGLE OF 05°09'01" AND RUN AN ARC DISTANCE OF 94.65 FEET; THENCE RUN N 17°28'05"W A DISTANCE OF 51.72 FEET; THENCE RUN N 22°16'54"W A DISTANCE OF 95.34 FEET; THENCE RUN N 17°28'05"W A DISTANCE OF 17.46 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 239.00 FEET THRU A CENTRAL ANGLE OF 25°13'02" AND RUN AN ARC DISTANCE OF 105.19 FEET; THENCE RUN N42°41'07"W A DISTANCE OF 127.46 FEET TO INTERSECT WITH THE SOUTHERN RIGHT-OF-WAY LINE OF COUNTY ROAD 510; THENCE RUN ON A NON-TANGENT CURVATURE CONCAVE TO THE RIGHT HAVING A CHORD BEARING OF N46°28'25"E HAVING A RADIUS OF 2824.80 FEET THRU A CENTRAL ANGLE OF 02°13'53" AND RUN AN ARC DISTANCE OF 110.02 FEET; THENCE RUN S42°41'07"E AND LEAVING THE AFORESAID SOUTHERN RIGHT-OF-WAY LINE OF COUNTY ROAD 510, A DISTANCE OF 129.08 FEET TO A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 349.00 FEET THRU A CENTRAL ANGLE OF 25°13'02" AND RUN AN ARC DISTANCE OF 153.60 FEET; THENCE RUN S17°28'05"E A DISTANCE OF 70.97 FEET; THENCE RUN S12°35'20"E A DISTANCE OF 94.05 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 959.00 FEET THRU A CENTRAL ANGLE OF 05°07'12" AND RUN AN ARC DISTANCE OF 85.69 FEET; THENCE RUN S22°50'48"E A DISTANCE OF 68.71 FEET; THENCE RUN S67°09'12"W A DISTANCE OF 147.80 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET THRU CENTRAL ANGLE OF 22°23'11" AND RUN AN ARC DISTANCE OF 13.68 FEET; THENCE RUN S44°46'01"W A DISTANCE OF 404.12 FEET; THENCE CONTINUE S44°46'01"W A DISTANCE OF 79.95 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 138.00 FEET THRU A CENTRAL ANGLE OF 44°56'53" AND RUN AN ARC DISTANCE OF 108.26 FEET; THENCE RUN S00°10'52"E A DISTANCE OF 397.88 FEET; THENCE CONTINUE S00°10'52"E A DISTANCE OF 462.27 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 180.00 FEET THRU A CENTRAL ANGLE OF 15°29'16" AND RUN AN ARC DISTANCE OF 48.66 FEET; THENCE RUN S15°18'23"W A DISTANCE OF 21.83 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 140.76 FEET THRU A CENTRAL ANGLE OF 47°25'29" AND RUN AN ARC DISTANCE OF 116.51 FEET; THENCE RUN S32°07'06"E A DISTANCE OF 194.22 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET THRU A CENTRAL ANGLE OF 40°41'14" AND RUN AN ARC DISTANCE OF 56.81 FEET; THENCE RUN S72°48'20"E A DISTANCE OF 26.08 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 135.00 FEET THRU A CENTRAL ANGLE OF 25°18'24" AND RUN AN ARC LENGTH OF 59.63 FEET TO A POINT ON A COMPOUND CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 425.00 FEET THRU A CENTRAL ANGLE OF 04°00'46" AND RUN AN ARC DISTANCE OF 29.77 FEET; THENCE RUN S43°29'10"E A DISTANCE OF 74.35 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 420.82 FEET WITH A CENTRAL ANGLE OF 20°42'38" AND RUN AN ARC DISTANCE OF 152.11 FEET; THENCE RUN S 19°27'03"E A DISTANCE OF 56.66 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET THRU A CENTRAL ANGLE OF 28°29'28" AND RUN AN ARC DISTANCE OF 59.67 FEET; THENCE RUN S09°02'25"W A DISTANCE OF 38.50 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET THRU A CENTRAL ANGLE OF 39°38'22" AND RUN AN ARC DISTANCE OF 55.35 FEET; THENCE RUN S30°21'36"E A DISTANCE OF 140.54 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 140.00 FEET THRU A CENTRAL ANGLE OF 59°31'08" AND RUN AN ARC DISTANCE OF 145.43 FEET; THENCE RUN S89°39'20"E A DISTANCE OF 403.64 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET THRU A CENTRAL ANGLE OF 34°11'00" AND RUN AN ARC DISTANCE OF 47.73 FEET; (CONTINUED ON SHEET 2)

SKETCH OF DESCRIPTION  
 NOT A FIELD BOUNDARY SURVEY  
 FOR SKETCH SEE SHEET 2

SHEET 1 OF 9

•DATE OF SURVEY: 7-13-06

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR & MAPPER NAMED BELOW.

•SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE  
 DAVID M. JONES, FLORIDA LICENSE NUMBER LS 3909

*David M. Jones*  
 (SIGNED AND SEALED) JUL 14 2006

DAVID M. JONES  
 PROFESSIONAL SURVEYOR & MAPPER

3899 39TH SQUARE  
 (772)567-9875 VERO BEACH, FL 32960

## LEGAL DESCRIPTION

(CONTINUED FROM SHEET 1)

THENCE RUN N56°09'40"E A DISTANCE OF 15.47 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 150.00 FEET THRU A CENTRAL ANGLE OF 34°08'18" AND RUN AN ARC DISTANCE OF 89.37 FEET; THENCE RUN S89°42'02"E A DISTANCE OF 115.10 FEET; THENCE RUN S00°03'18"W A DISTANCE OF 18.46 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 33.50 FEET THRU A CENTRAL ANGLE OF 29°41'37" AND RUN AN ARC DISTANCE OF 17.36 FEET TO A POINT ON A REVERSE CURVATURE TO THE CONCAVE TO THE LEFT HAVING A RADIUS OF 38.00 FEET THRU A CENTRAL ANGLE OF 29°42'35" AND RUN AN ARC DISTANCE OF 19.70 FEET; THENCE RUN S00°00'58"E A DISTANCE OF 34.47 FEET TO INTERSECT WITH THE NORTH RIGHT-OF-WAY LINE OF 82Nd. STREET; THENCE RUN N89°43'27"W ALONG THE AFORESAID NORTH RIGHT-OF-WAY LINE OF 82Nd STREET A DISTANCE OF 57.33 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE LEFT WITH A CHORD BEARING OF N13°24'38"W HAVING A RADIUS OF 20.90 FEET THRU A CENTRAL ANGLE OF 142°12'41" AND RUN AN ARC DISTANCE OF 51.87 FEET; THENCE RUN N89°42'02"W A DISTANCE OF 51.22 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET THRU A CENTRAL ANGLE OF 30°58'53" AND RUN AN ARC DISTANCE OF 54.07 FEET; THENCE RUN S59°19'05"W A DISTANCE OF 11.52 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 127.00 FEET THRU A CENTRAL ANGLE OF 31°01'35" AND RUN AN ARC DISTANCE OF 68.77 FEET TO INTERSECT WITH THE AFORESAID NORTH RIGHT-OF-WAY LINE OF 82Nd. STREET; THENCE RUN N89°39'20"W ALONG THE NORTH RIGHT-OF-WAY LINE OF 82Nd. STREET A DISTANCE OF 403.64 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT AND LEAVING THE AFORESAID NORTH RIGHT-OF-WAY LINE OF 82Nd STREET HAVING A RADIUS OF 180.00 FEET THRU A CENTRAL ANGLE OF 59°31'08" AND RUN AN ARC DISTANCE OF 186.98 FEET; THENCE RUN N30°21'36"W A DISTANCE OF 140.54 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET THRU A CENTRAL ANGLE OF 39°38'22" AND RUN AN ARC DISTANCE OF 83.02 FEET; THENCE RUN N09°02'25"E A DISTANCE OF 17.54 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET THRU A CENTRAL ANGLE OF 28°29'28" AND RUN AN ARC DISTANCE OF 39.78 FEET; THENCE RUN N19°27'03"W A DISTANCE OF 75.08 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 365.00 FEET THRU A CENTRAL ANGLE OF 02°57'17" AND RUN AN ARC DISTANCE OF 18.82 FEET TO A POINT ON A COMPOUND CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 18.00 FEET THRU A CENTRAL ANGLE OF 99°07'19" AND RUN AN ARC DISTANCE OF 31.14 FEET; THENCE RUN S58°28'20"W A DISTANCE OF 84.97 FEET TO INTERSECT WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1; THENCE RUN N31°30'36"W ALONG THE AFORESAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 74.24 FEET; THENCE RUN N58°22'46"E AND LEAVING THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No.1 A DISTANCE OF 85.12 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 18.00 FEET THRU A CENTRAL ANGLE OF 101°51'56" AND RUN AN ARC DISTANCE OF 32.00 FEET; THENCE RUN N43°29'10"W A DISTANCE OF 69.18 FEET TO A POINT ON A CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 375.00 FEET THRU A CENTRAL ANGLE OF 04°00'46" AND RUN AN ARC DISTANCE OF 26.26 FEET TO A POINT ON A COMPOUND CURVATURE CONCAVE TO THE LEFT HAVING A RADIUS OF 85.00 FEET THRU A CENTRAL ANGLE OF 25°18'24" AND RUN AN ARC DISTANCE OF 37.54 FEET; THENCE RUN N72°48'20"W A DISTANCE OF 14.52 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET THRU A CENTRAL ANGLE OF 40°41'30" AND RUN AN ARC DISTANCE OF 85.22 FEET; THENCE RUN N32°06'50"W A DISTANCE OF 209.48 FEET TO A POINT ON A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 180.00 FEET THRU A CENTRAL ANGLE OF 47°25'15" AND RUN AN ARC DISTANCE OF 148.98 FEET; THENCE RUN N15°08'52"E A DISTANCE OF 38.98 FEET TO INTERSECT WITH THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF 46TH AVENUE; THENCE RUN N00°08'05"W ALONG THE EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 483.78 FEET; THENCE CONTINUE N00°08'05"W A DISTANCE OF 441.34 FEET TO THE POINT OF BEGINNING.

SHEET 2 OF 9

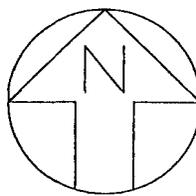
SKETCH OF DESCRIPTION  
NOT A FIELD BOUNDARY SURVEY  
FOR DESCRIPTION SEE SHEET 1

DAVID M. JONES

PROFESSIONAL SURVEYOR &amp; MAPPER

3899 39TH SQUARE

(772)567-9875 VERO BEACH, FL 32960



1" = 50'

LEGEND

- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- ORB - OFFICIAL RECORD BOOK
- NO - NUMBER
- TAN - TANGENT
- CH'D - CHORD

LINE TABLE

Line	Bearing	Distance
L1	N.22°16'54"W.	95.34'
L2	N.17°28'05"W.	17.46'
L3	S.12°35'20"E.	94.05'
L4	S.17°28'05"E.	70.97'
L5	N.17°28'05"W.	51.72'

COUNTY ROAD 510 -  
 WABASSO ROAD  
 80-FOOT WIDE RIGHT-OF-WAY  
 SOUTH RIGHT-OF-WAY LINE  
 S.42°41'07"E. 129.08'

N.42°41'07"W. 127.46'

PUBLIC ACCESS EASEMENT

SURVEYOR'S NOTES:

1. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.
2. BEARING BASE - THE EAST RIGHT OF WAY LINE OF US HIGHWAY 1 BEARS N 32° 06' 50" W AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

CURVE TABLE

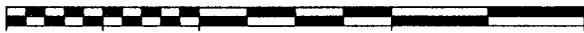
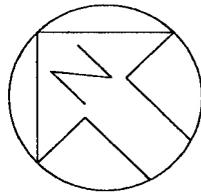
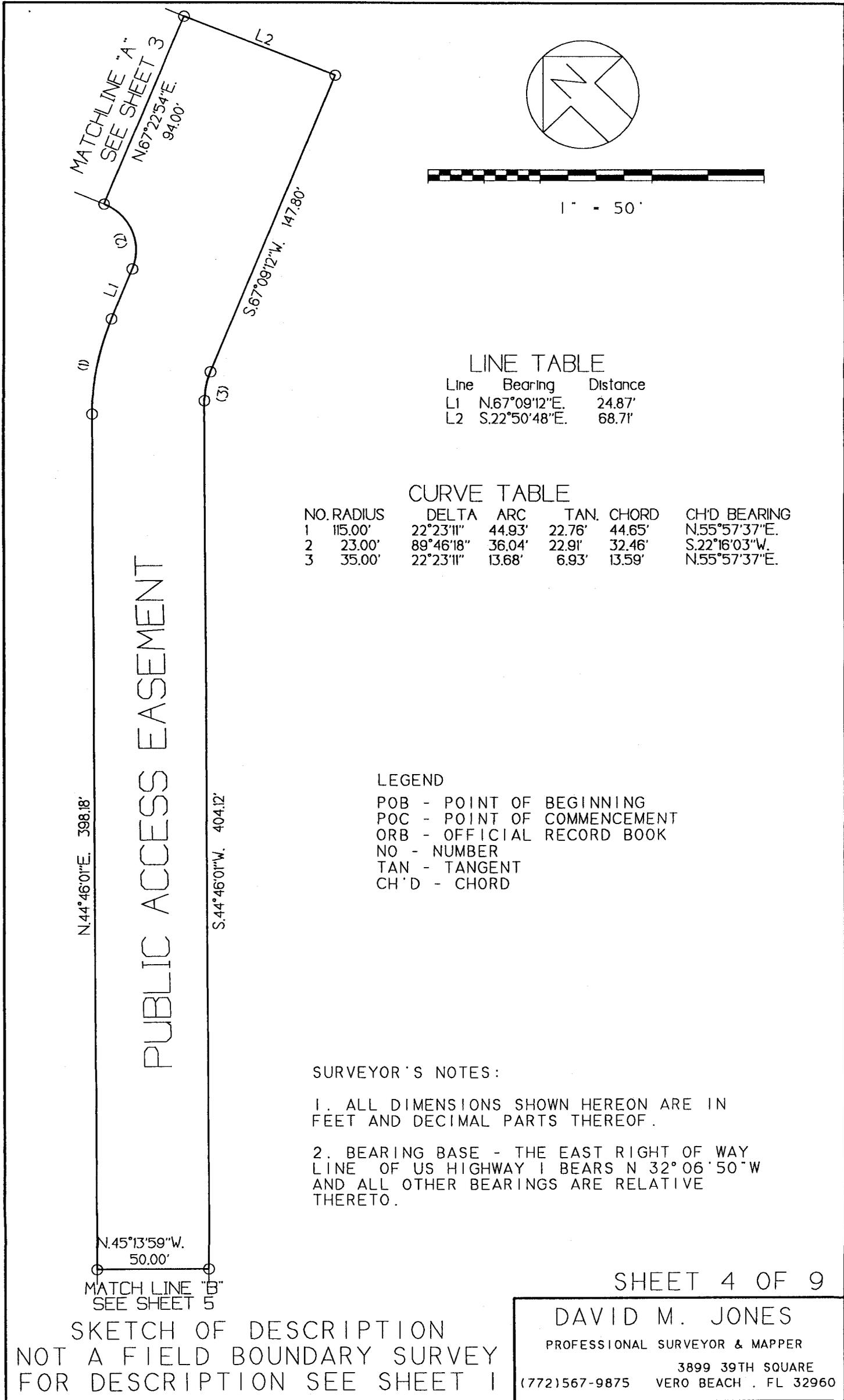
NO.	RADIUS	DELTA	ARC	TAN.	CHORD	CH'D BEARING
1	2824.80'	02°13'53"	110.02'	55.02'	110.01'	N.46°28'25"E.
2	239.00'	25°13'02"	105.19'	53.46'	104.34'	S.30°04'36"E.
3	959.00'	05°07'12"	85.69'	42.88'	85.67'	N.20°03'30"W.
4	349.00'	25°13'02"	153.60'	78.07'	152.37'	S.30°04'36"E.
5	1053.00'	05°09'01"	94.65'	47.36'	94.62'	N.20°02'35"W.

94.00'  
 N.67°22'54"E.  
 MATCHLINE "A"  
 SEE SHEET 4

SHEET 3 OF 9

SKETCH OF DESCRIPTION  
 NOT A FIELD BOUNDARY SURVEY  
 FOR DESCRIPTION SEE SHEET 1

DAVID M. JONES  
 PROFESSIONAL SURVEYOR & MAPPER  
 3899 39TH SQUARE  
 (772)567-9875 VERO BEACH, FL 32960



1" = 50'

LINE TABLE

Line	Bearing	Distance
L1	N.67°09'12"E.	24.87'
L2	S.22°50'48"E.	68.71'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TAN.	CHORD	CH'D BEARING
1	115.00'	22°23'11"	44.93'	22.76'	44.65'	N.55°57'37"E.
2	23.00'	89°46'18"	36.04'	22.91'	32.46'	S.22°16'03"W.
3	35.00'	22°23'11"	13.68'	6.93'	13.59'	N.55°57'37"E.

LEGEND

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- TAN - TANGENT
- CH'D - CHORD

SURVEYOR'S NOTES:

1. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.
2. BEARING BASE - THE EAST RIGHT OF WAY LINE OF US HIGHWAY 1 BEARS N 32°06'50"W AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

SHEET 4 OF 9

DAVID M. JONES

PROFESSIONAL SURVEYOR & MAPPER

3899 39TH SQUARE

(772)567-9875 VERO BEACH, FL 32960

SKETCH OF DESCRIPTION  
 NOT A FIELD BOUNDARY SURVEY  
 FOR DESCRIPTION SEE SHEET 1

SKETCH OF DESCRIPTION  
 NOT A FIELD BOUNDARY SURVEY  
 FOR DESCRIPTION SEE  
 SHEET 1

MATCHLINE "C"  
 SEE BELOW LEFT

THE WEST LINE OF  
 GOVERNMENT LOT 6,  
 SECTION 28, TOWNSHIP  
 31, RANGE 39 EASE,  
 INDIAN RIVER COUNTY,  
 FLORIDA

P.O.B.

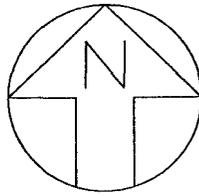
THE SOUTHWEST CORNER OF GOVERNMENT LOT 6,  
 SECTION 28, TOWNSHIP 31, RANGE 39 EASE,  
 INDIAN RIVER COUNTY, FLORIDA

EASTERLY RIGHT-OF-WAY LINE  
 OF 46TH AVENUE

PUBLIC ACCESS EASEMENT

S.00°10'52"E. 397.86'

SECTION 28  
 SECTION 33



1" = 50'

LEGEND

- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- ORB - OFFICIAL RECORD BOOK
- NO - NUMBER
- TAN - TANGENT
- CH'D - CHORD

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TAN.	CHORD	TAN. CHORD	CH'D BEARING
1	138.00'	44°56'53"	108.26'	57.09'	105.51'	48.51'	N.22°17'34"E.
2	180.00'	15°29'16"	48.66'	24.48'	48.51'	48.51'	S.07°33'46"W.

LINE TABLE

Line	Bearing	Distance
L1	N.00°20'28"W.	44.32'
L2	S.44°46'01"W.	79.95'
L3	S.15°18'23"W.	21.83'
L4	N.15°08'52"E.	38.98'

EASTERLY RIGHT-OF-WAY LINE  
 OF 46TH AVENUE

N.00°08'05"W. 483.78'

PUBLIC ACCESS EASEMENT

S.00°10'52"E. 462.27'

MATCHLINE "D"  
 SEE SHEET 6

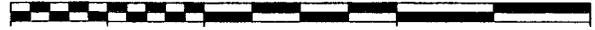
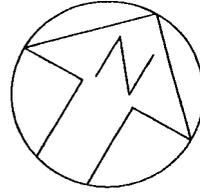
SHEET 5 OF 9

DAVID M. JONES

PROFESSIONAL SURVEYOR & MAPPER

3899 39TH SQUARE

(772)567-9875 VERO BEACH . FL 32960



1" = 50'

LINE TABLE

Line	Bearing	Distance
L1	S.72°48'20"E.	26.08'
L2	S.43°29'10"E.	74.35'
L3	N.43°29'10"W.	69.18'
L4	N.72°48'20"W.	14.52'

CURVE TABLE

	NORADIUS	DELTA	ARC	TAN.	CHORD	CH'D BEARING
1	140.76'	47°25'29"	116.51'	61.82'	113.21'	N.08°16'14"W.
2	80.00'	40°41'14"	56.81'	29.66'	55.62'	N.52°27'43"W.
3	135.00'	25°18'24"	59.63'	30.31'	59.14'	S.60°09'08"E.
4	425.00'	04°00'46"	29.77'	14.89'	29.76'	S.45°29'33"E.
5	375.00'	04°00'46"	26.26'	13.14'	26.26'	S.45°29'33"E.
6	85.00'	25°18'24"	37.54'	19.08'	37.24'	S.60°09'08"E.
7	120.00'	40°41'30"	85.22'	44.50'	83.44'	N.52°27'35"W.
8	180.00'	47°25'15"	148.98'	79.05'	144.76'	N.08°24'13"W.

SKETCH OF DESCRIPTION  
NOT A FIELD BOUNDARY SURVEY  
FOR DESCRIPTION SEE SHEET 1

LEGEND

- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- ORB - OFFICIAL RECORD BOOK
- NO - NUMBER
- TAN - TANGENT
- CH'D - CHORD

SHEET 6 OF 9

DAVID M. JONES

PROFESSIONAL SURVEYOR & MAPPER

3899 39TH SQUARE

(772)567-9875 VERO BEACH, FL 32960

EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1

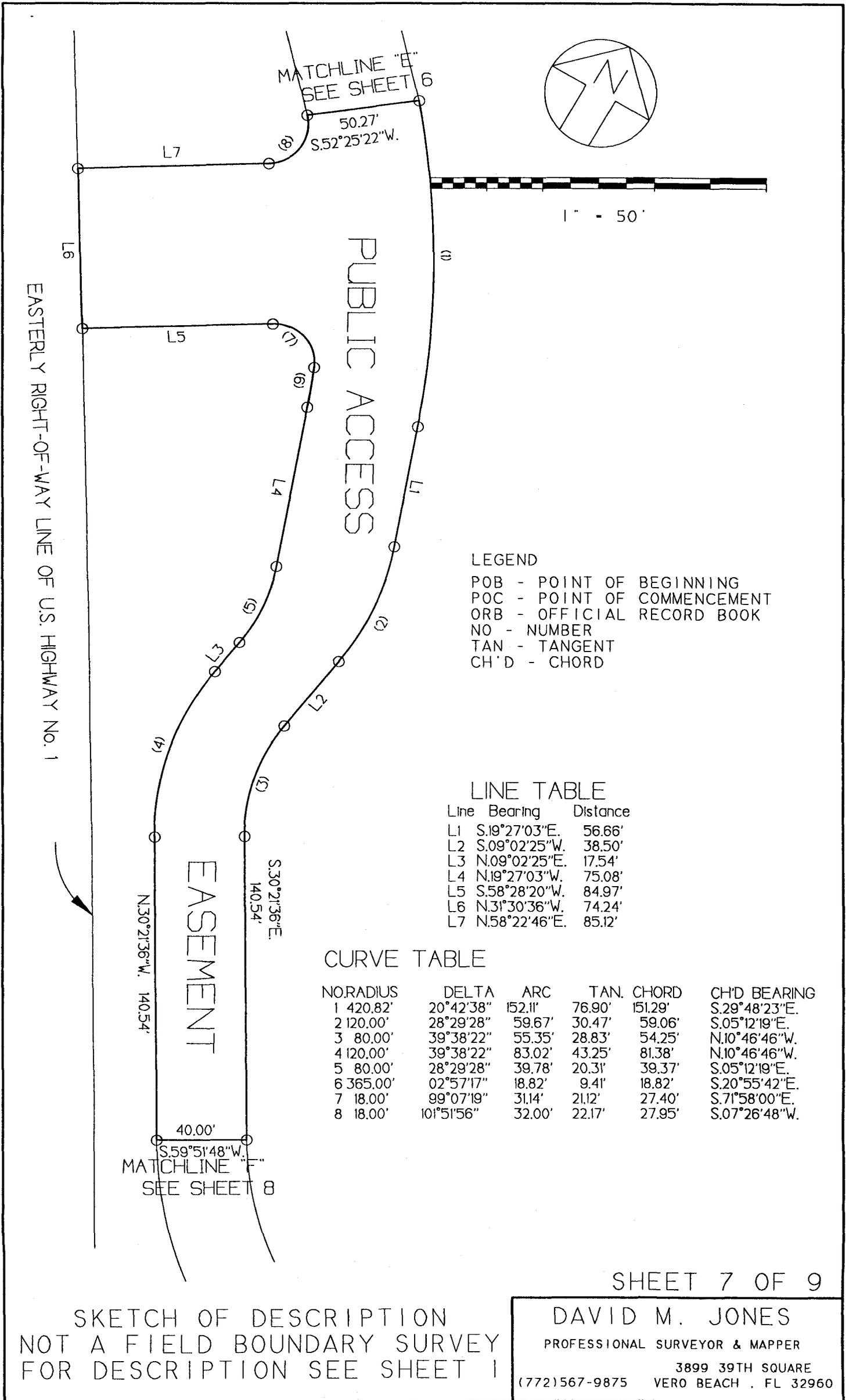
PUBLIC ACCESS EASEMENT

N 32°06'50"W 209.48'

S 32°07'06"E 194.22'

MATCHLINE "D"  
SEE SHEET 5  
N.75°42'28"W

50.27'  
S.52°25'22"W.  
MATCHLINE "E"  
SEE SHEET 7



LEGEND

- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- ORB - OFFICIAL RECORD BOOK
- NO - NUMBER
- TAN - TANGENT
- CH'D - CHORD

LINE TABLE

Line	Bearing	Distance
L1	S.19°27'03"E.	56.66'
L2	S.09°02'25"W.	38.50'
L3	N.09°02'25"E.	17.54'
L4	N.19°27'03"W.	75.08'
L5	S.58°28'20"W.	84.97'
L6	N.31°30'36"W.	74.24'
L7	N.58°22'46"E.	85.12'

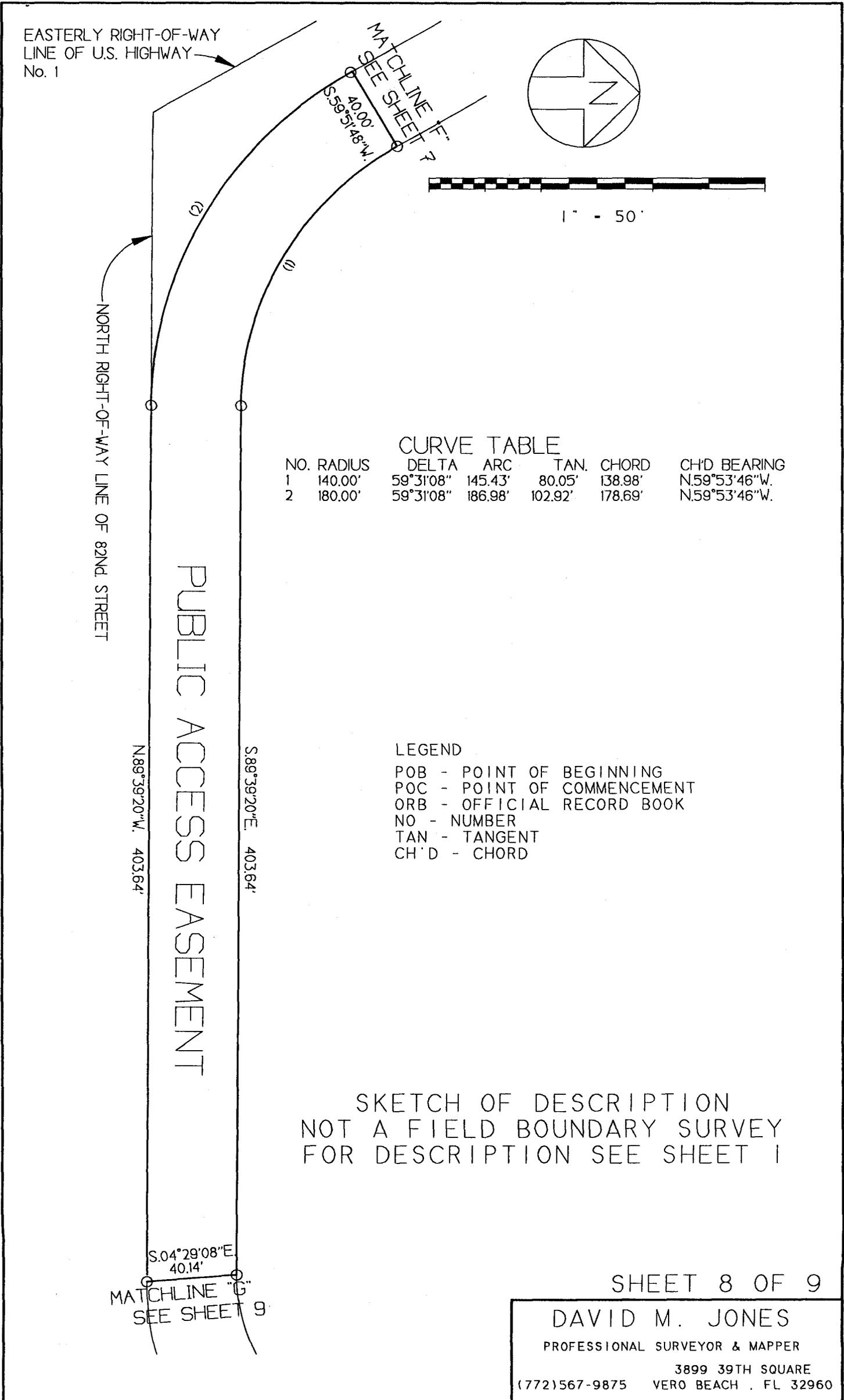
CURVE TABLE

NORADIUS	DELTA	ARC	TAN.	CHORD	CH'D BEARING
1 420.82'	20°42'38"	152.11'	76.90'	151.29'	S.29°48'23"E.
2 120.00'	28°29'28"	59.67'	30.47'	59.06'	S.05°12'19"E.
3 80.00'	39°38'22"	55.35'	28.83'	54.25'	N.10°46'46"W.
4 120.00'	39°38'22"	83.02'	43.25'	81.38'	N.10°46'46"W.
5 80.00'	28°29'28"	39.78'	20.31'	39.37'	S.05°12'19"E.
6 365.00'	02°57'17"	18.82'	9.41'	18.82'	S.20°55'42"E.
7 18.00'	99°07'19"	31.14'	21.12'	27.40'	S.71°58'00"E.
8 18.00'	101°51'56"	32.00'	22.17'	27.95'	S.07°26'48"W.

SHEET 7 OF 9

SKETCH OF DESCRIPTION  
NOT A FIELD BOUNDARY SURVEY  
FOR DESCRIPTION SEE SHEET 1

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(772)567-9875 VERO BEACH, FL 32960



CURVE TABLE

NO.	RADIUS	DELTA	ARC	TAN.	CHORD	CH'D BEARING
1	140.00'	59°31'08"	145.43'	80.05'	138.98'	N.59°53'46"W.
2	180.00'	59°31'08"	186.98'	102.92'	178.69'	N.59°53'46"W.

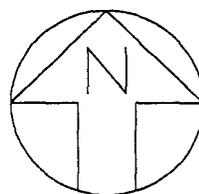
LEGEND

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SKETCH OF DESCRIPTION  
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 FOR DESCRIPTION SEE SHEET 1

SHEET 8 OF 9

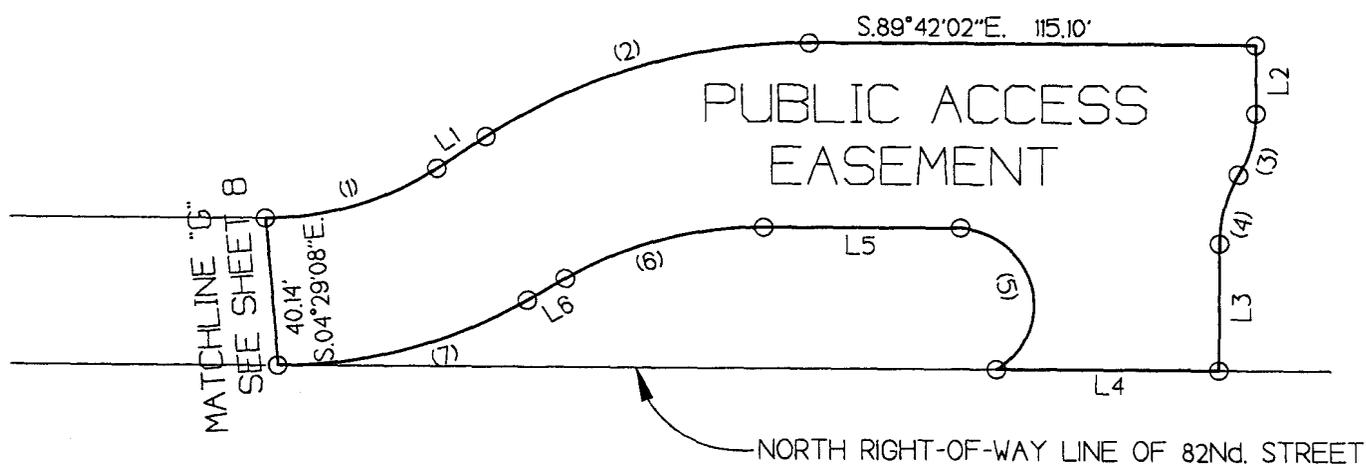
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LEGEND

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- TAN - TANGENT
- CH'D - CHORD



LINE TABLE

Line	Bearing	Distance
L1	N.56°09'40"E.	15.47'
L2	S.00°03'18"W.	18.46'
L3	S.00°00'58"E.	34.47'
L4	N.89°43'27"W.	57.33'
L5	N.89°42'02"W.	51.22'
L6	S.59°19'05"W.	11.52'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TAN.	CHORD	CH'D BEARING
1	80.00'	34°11'00"	47.73'	24.60'	47.02'	S.73°15'10"W.
2	150.00'	34°08'18"	89.37'	46.06'	88.06'	N.73°13'49"E.
3	33.50'	29°41'37"	17.36'	8.88'	17.17'	S.14°50'48"W.
4	38.00'	29°42'35"	19.70'	10.08'	19.48'	N.14°50'19"E.
5	20.90'	142°12'41"	51.87'	61.06'	39.55'	N.13°24'38"W.
6	100.00'	30°58'53"	54.07'	27.72'	53.42'	N.74°48'32"E.
7	127.00'	31°01'35"	68.77'	35.25'	67.93'	S.74°49'52"W.

SHEET 9 OF 9

SKETCH OF DESCRIPTION  
NOT A FIELD BOUNDARY SURVEY  
FOR DESCRIPTION SEE SHEET 1

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