

Parcel Identification #32-40-20-00000-0010-00002.0  
and 32-40-19-00000-0090-00006.0

RELEASE AND WAIVER OF RIGHT OF FIRST REFUSAL

BE IT HEREBY KNOWN, that INDIAN RIVER COUNTY, a political subdivision of the State of Florida (hereinafter referred to as "COUNTY") hereby and herewith waives and relinquishes its right of first refusal to purchase the property described on the attached Exhibit "A" presently owned by the TOWN OF INDIAN RIVER SHORES, a municipal corporation under the laws of the State of Florida (hereinafter referred to as "TOWN").

This Waiver is for the sole purpose of waiving and relinquishing the COUNTY's right of first refusal referenced in that certain County Deed dated March 16, 1993, and recorded September 1, 1993, in Official Record Book 987, Page 43, Public Records of Indian River County, Florida, for the sale to Lutgert Vero, LLC, a Florida limited liability company (as assigned from Lutgert Companies) as specified in Real Estate Purchase and Sale Contract dated May 6, 2017.


By this Release, COUNTY hereby expressly releases any right of entry it may have to mine and develop phosphate, minerals, metals, and petroleum reserved pursuant to 270.11, Florida Statutes.

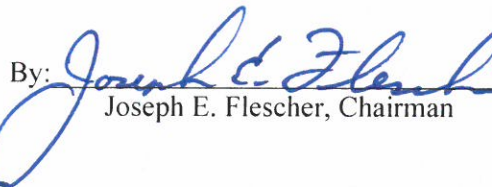
IN WITNESS WHEREOF, the COUNTY has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Chairman of the Board, the day and year aforesaid.

INDIAN RIVER COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

(SEAL)

Attest:

  
Clerk

By:   
Joseph E. Flescher, Chairman



STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgements, personally appeared Joseph E. Flescher and Maureen Gelfo, as Chairman and clerk of the Board of County Commissioners of Indian River County, Florida, named herein, and they severally acknowledged executing the same under the authority vested in them by said board and that the seal affixed thereto is the true seal of said Board. They are personally known to me.

WITNESS my hand and official seal this 7<sup>th</sup> day of June, 2017.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY   
DYLAN REINGOLD  
COUNTY ATTORNEY

  
Notary Public

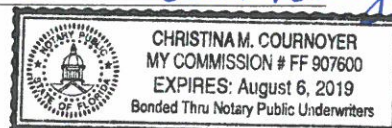


EXHIBIT "A"

The South one-half of Government Lot 9 less the North 620 feet thereof, and Government Lot 10 less the South 1070.63 feet thereof all in Section 19, Township 32 South, Range 40 East and lying east of State Road A-1-A; also the North 320 feet of the South 1390.63 feet of Government Lot 1, lying west of the East 10.69 acres of said Government Lot 1, Section 20, Township 32 South, Range 40 East, Indian River County, Florida, being more particularly described as follows:

Beginning at the Southwesterly corner of Pebble Beach Development No. 2, according to the plat filed in Plat Book 7, Page 83A, Public Records of said Indian River County and running thence

N 89 degrees 53' 24" E, 421.88 feet along the South boundary of said Pebble Beach Development No. 2; thence run S 0 degrees, 06' 36" E 20.00 feet along said South boundary; thence run N 89 degrees, 53' 24" E, 344.28 feet to the Southeast corner of Pebble Beach Development No. 2; thence S 0 degrees 22' 34" W, 320 feet along the West boundary of the East 10.69 acres of said Government Lot 1, Section 20, Township 32 South, Range 40 East; thence S 89 degrees 53' 24" W, 654.33 feet, more or less, to the Easterly right of way of State Road A-1-A; thence N 17 degrees 54' 12" W, 357.06 feet more or less to the Point of Beginning.

LESS AND EXCEPT the Southerly most five (5) feet reserved for pedestrian walkway.

Lying and being in Indian River County, Florida.