

RESOLUTION 2018-\_\_\_\_\_

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR THE VACATION OF HIDEAWAY COVE SUBDIVISION, PLAT BOOK 10, PAGE 60, INDIAN RIVER COUNTY, SAID LAND LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA

WHEREAS, on September 13, 2017, Indian River County received a duly executed and documented application from Ocean Trail, LLC requesting that the County vacate the plat of Hideaway Cove Subdivision recorded in Plat Book 10, Page 60 of Indian River County, Florida, said land lying and being in Indian River County, Florida; and

WHEREAS, in accordance with Florida Statutes 177.101, notice of the intent to apply for plat vacation was duly published by Ocean Tail, LLC in two weekly issues of a newspaper of general circulation in the County; 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 Ocean Trail, LLC owns the fee simple title to all lands within the Hideaway Cove Subdivision; and

WHEREAS, the Board further finds that vacation of the subdivision plat will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

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

1. The plat of Hideaway Cove Subdivision recorded in Plat Book 10, Page 60 of Indian River County, Florida, is hereby vacated. (See Exhibit A attached.)
2. The Clerk is hereby directed to record this resolution together with the proofs of publication required by Florida Statutes 177.101 in the Official Record Books of Indian River County without undue delay.
3. This resolution for the vacation of the Hideaway Cove Subdivision plat shall not affect any existing utility rights outside of the plat boundary.
4. This resolution for the vacation of the Hideaway Cove Subdivision plat shall not affect any other plat or easements of record.

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 Peter D. O'Bryan \_\_\_\_\_

Vice Chairman Bob Solari \_\_\_\_\_

Commissioner Susan Adams \_\_\_\_\_

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Commissioner Joseph E. Flescher \_\_\_\_\_

Commissioner Tim Zorc \_\_\_\_\_

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

I HEREBY CERTIFY that on this day, before me, and 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 \_\_\_\_\_, 2018.

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

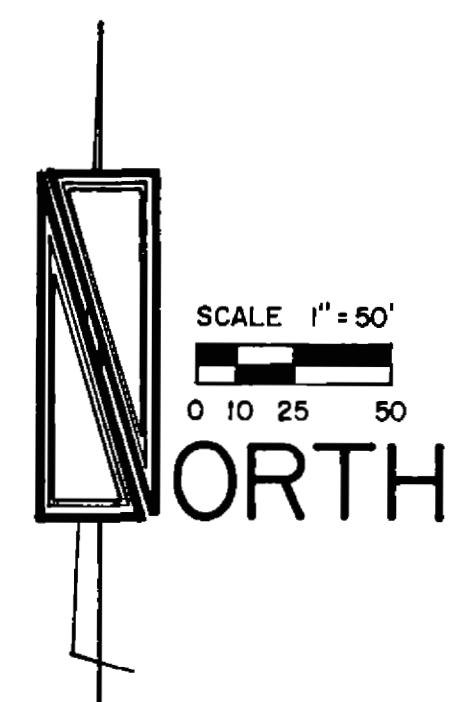
APPROVED AS TO LEGAL SUFFICIENCY

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

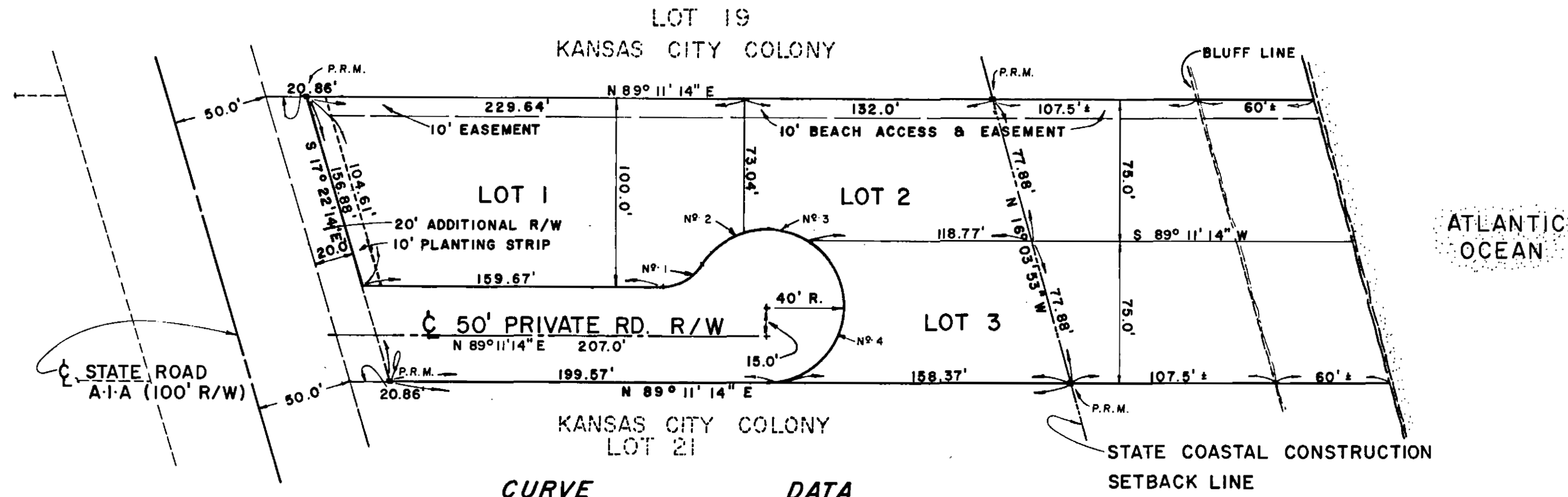
APPROVED AS TO PLANNING MATTERS

BY: \_\_\_\_\_  
Stan Boling, AICP, Director  
Community Development Department

EXHIBIT A



LOT 20 OF KANSAS CITY COLONY SUBDIVISION LYING EAST OF STATE ROAD A-1-A, PLATBOOK 4, PAGE 23, ST. LUCIE (NOW INDIAN RIVER) COUNTY, FLORIDA, PUBLIC RECORDS.



CURVE N <sup>o</sup>	RAD.	DELTA	ARC	CHORD
1	25.0'	57°25'30"	25.06'	24.02'
2	40.0'	36°00'52"	24.14'	24.73'
3	40.0'	49°37'46"	34.65'	33.57'
4	40.0'	151°27'10"	106.73'	77.53'

CERTIFICATE OF CLERK OF CIRCUIT COURT

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

I, CLERK OF CIRCUIT COURT OF INDIAN RIVER COUNTY, FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT OF "HIDEAWAY COVE" SUBDIVISION AND THAT IT COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177 OF THE LAWS OF FLORIDA. THIS PLAT FILED FOR RECORD THIS 7<sup>th</sup> DAY OF MARCH, 1980, AND RECORDED ON PAGE 60 OF PLATBOOK 10 IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF INDIAN RIVER COUNTY, FLORIDA.

FREDA WRIGHT  
CLERK OF CIRCUIT COURT

By: Janis M. Slays  
DEPUTY CLERK

CERTIFICATE OF SURVEYOR

I, DANA HOWARD DO HEREBY CERTIFY THAT THIS PLAT OF "HIDEAWAY COVE" SUBDIVISION IS MADE FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND THAT IT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS PLATTED AND THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS CALLED FOR UNDER CHAPTER 177 OF THE LAWS OF FLORIDA. DATED THIS 27<sup>th</sup> DAY OF FEBRUARY, 1980.

Dana Howard  
REGISTERED LAND SURVEYOR N<sup>o</sup> 2805

CERTIFICATE OF APPROVAL

THIS PLAT OF "HIDEAWAY COVE" SUBDIVISION IS HEREBY APPROVED BY THE ACCREDITED REPRESENTATIVE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA. DATED THIS 6<sup>th</sup> DAY OF MARCH, 1980.

Jack S. Jennings  
COUNTY ADMINISTRATOR

CERTIFICATE OF TITLE

CHELSEA TITLE AND GUARANTY COMPANY, VERO BEACH, FLORIDA, A TITLE INSURANCE COMPANY LICENSED IN THE STATE OF FLORIDA, DOES HEREBY CERTIFY TO THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, THAT RECORD TITLE OF THE LAND AS DESCRIBED AND SHOWN ON THIS PLAT OF HIDEAWAY COVE AND BEING DESCRIBED AS LOT 20 KANSAS CITY COLONY SUBDIVISION LYING EAST OF STATE ROAD A-1-A, PLATBOOK 4, PAGE 23, ST. LUCIE (NOW INDIAN RIVER) COUNTY, FLORIDA, PUBLIC RECORDS. IS IN THE NAME OF LARRY CATRON INVESTMENTS, INC., A FLORIDA CORPORATION, AND DANIEL A. GALLO AND HARRIETTA M. GALLO, HIS WIFE, AND THAT THERE IS AN OPEN MORTGAGE ON THE REFERENCED PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 567, PAGE 2060, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

CHELSEA TITLE AND GUARANTY COMPANY

By: Marie N. Bennett  
MARIE N. BENNETT, MANAGER



CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING LARRY CATRON INVESTMENTS, INC., A FLORIDA CORPORATION, AND DANIEL A. GALLO AND HARRIETTA M. GALLO, HIS WIFE, AS OWNERS AND DEVELOPERS OF THE LAND COMPRISING "HIDEAWAY COVE" AS SHOWN ON THIS PLAT DO HEREBY DEDICATE ALL STREETS AND/OR EASEMENTS FOR THE USE OF PUBLIC UTILITIES, CABLEVISION, AND THE PROPERTY OWNERS IN THE SUBDIVISION, WITH FULL KNOWLEDGE THAT THE SAME ARE NOT DEDICATED TO THE PUBLIC UNTIL THERE IS A FORMAL ACCEPTANCE OF THESE STREETS AND/OR EASEMENTS, OR ANY PART THEREOF, BY THE COUNTY.

Patricia D. Hazen SECRETARY WITNESS  
LARRY CATRON INVESTMENTS, INC.  
Harrietta M. Gallo WITNESS  
Daniel A. Gallo WITNESS  
Larry Catron WITNESS

ACKNOWLEDGEMENT

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

THIS IS TO CERTIFY, THAT ON February 16, 1980 BEFORE ME, AN OFFICER DULY AUTHORIZED IN THE STATE AND COUNTY AFORESAID TO TAKE ACKNOWLEDGEMENTS, PERSONALLY APPEARED LARRY CATRON INVESTMENTS, INC., AND DANIEL A. GALLO AND HARRIETTA M. GALLO, HIS WIFE, TO ME WELL KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR FREE ACT AND DEED FOR USES AND PURPOSES THEREIN EXPRESSED. IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND SEAL ON THE ABOVE DATE.

Barbara A. Jensen  
NOTARY PUBLIC  
MY COMMISSION EXPIRES April 14, 1981



JOINER AND CONSENT TO DEDICATION

THE UNDERSIGNED HEREBY CERTIFY THAT THEY ARE THE HOLDERS OF MORTGAGES UPON A PORTION OF THE PROPERTY AS DESCRIBED AND SHOWN HEREON, AND HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND OWNERS THEREOF, AND AGREE THAT THE MORTGAGE, AS RECORDED IN OFFICIAL RECORD BOOK 567, PAGE 2060, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE ABOVE DEDICATION.

Robert J. MacWilliam VICE-PRESIDENT WITNESS  
FIRST CITRUS BANK OF INDIAN RIVER COUNTY  
Laura B. Toney WITNESS  
Dana Howard WITNESS

ACKNOWLEDGEMENT

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

THIS IS TO CERTIFY, THAT ON FEBRUARY 12<sup>th</sup>, 1980 BEFORE ME, AN OFFICER DULY AUTHORIZED IN THE STATE AND COUNTY AFORESAID TO TAKE ACKNOWLEDGEMENTS, PERSONALLY APPEARED ROBERT J. MACWILLIAM, TO ME WELL KNOWN TO BE THE DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND HE ACKNOWLEDGED BEFORE ME THAT HE EXECUTED THE SAME. WITNESS MY HAND AND OFFICIAL SEAL IN THE STATE AND COUNTY AFORESAID THIS 12<sup>th</sup> DAY OF FEBRUARY, 1980.

Marie Joyce Fatchick  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 1-23-84



CARTER ASSOCIATES INC.

CONSULTING ENGINEERS/SURVEYORS  
VERO BEACH ..... FLORIDA

