

## RESOLUTION NO. 2019-\_\_\_\_\_

### 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 deeded to Indian River County by Redevgroup, Inc., a Florida corporation, for conservation purposes, are hereby cancelled pursuant to the authority of section 196.28, F.S.

**See attached Special Warranty Deed describing lands, recorded in O.R. Book 3171 at Page 212, 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:

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

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The Chairman thereupon declared the resolution duly passed and adopted this \_\_\_\_ day of February, 2019.

BOARD OF COUNTY COMMISSIONERS  
INDIAN RIVER COUNTY, FLORIDA

By \_\_\_\_\_  
Bob Solari, Chairman

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

By: \_\_\_\_\_  
Deputy Clerk

Tax Certificates Outstanding	<u>      </u>	<u>✓</u>
	Yes	No
Current Prorated Tax Received and Deposited with Tax Collector	\$ <u>  0  </u>	

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY William K. Debraal  
WILLIAM K. DEBRAAL  
DEPUTY COUNTY ATTORNEY

This instrument prepared by:  
Bruce Barkett, Esq.  
Collins Brown Barkett, Chartered  
756 Beachland Blvd.  
Vero Beach, FL 32963

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED, made this 17<sup>th</sup> day of December, 2018, between REDEVGROU<sup>UP</sup>, INC., a Florida corporation, whose address is 426 SE 6<sup>th</sup> Street, Dania Beach, FL 33004, hereinafter called the Grantor and INDIAN RIVER COUNTY, a political subdivision of the State of Florida, whose address is 1801 27<sup>th</sup> Street, Vero Beach, FL 32960, hereinafter called the Grantee.

WITNESSETH that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the 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, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Subject to restrictions, reservations and easements of record, if any, and taxes subsequent to December 31, 2018.

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 claiming by, through, or under the said Grantor.

The subject property is unencumbered and is being conveyed for no consideration.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]  
Print Name: Bruce Barrett

[Signature]  
Print Name: Barbara A. Beatty

REDEVGROUP, INC., a Florida corporation

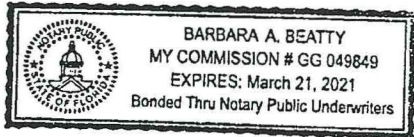
By: [Signature]  
Joseph Cataldo, President

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of December, 2018, by Joseph Cataldo, the President of Redevgroup, Inc., a Florida corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification.

(Notary Seal)

[Signature]  
Print Name: Barbara A. Beatty  
Notary Public  
My Commission Expires: 3/21/21



**EXHIBIT "A"**

**PARCEL 2:**

GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 33 SOUTH, RANGE 40 EAST, LESS AND EXCEPT THE NORTH 1, 100 FEET THEREOF, LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

**PARCEL 3:**

THE SOUTH 220 FEET OF THE NORTH 1,100 FEET OF GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 33 SOUTH, RANGE 40 EAST, LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

**PARCEL 4:**

THE SOUTH 110 FEET OF THE NORTH 880 FEET OF GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 33 SOUTH, RANGE 40 EAST, LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

TOGETHER WITH AN EASEMENT OF INGRESS AND EGRESS FOR ACCESS OVER, ACROSS AND THROUGH ALL OF THE STREETS, ROADWAYS AND RIVER CROSSOVERS FORMING PART OF THE COMMON AREAS OF OYSTER BAY SUBDIVISION, AS REFERENCED IN THE DECLARATION OF RESTRICTIONS FOR OYSTER BAY SUBDIVISION, RECORDED IN OFFICIAL RECORDS BOOK 828, PAGE 1165, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

**LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:**

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 28, TOWNSHIP 33 SOUTH, RANGE 40 EAST; THENCE N08°52'33"W A DISTANCE OF 344.56 FEET TO THE MEAN HIGH WATERLINE OF THE INDIAN RIVER; THENCE THE FOLLOWING THREE COURSES ALONG SAID MEAN HIGH WATERLINE; (1) S47°14'44"E A DISTANCE OF 25.15 FEET, (2) S33°45'18"E A DISTANCE OF 31.10 FEET, (3) S19°27'33"E A DISTANCE OF 43.76 FEET TO THE EAST LINE OF GOVERNMENT LOT 4 OF SAID SECTION 28; THENCE S00°38'08"E ALONG SAID EAST LINE A DISTANCE OF 256.26 FEET TO THE POINT OF BEGINNING. CONTAINING 0.16 ACRES MORE OR LESS.