

RESOLUTION 2017-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR THE CLOSING, ABANDONMENT, VACATION AND DISCONTINUANCE OF A 16 FOOT WIDE ALLEY RIGHT-OF-WAY RUNNING FROM 129th COURT TO 129th STREET AND LYING IMMEDIATELY ADJACENT AND CONTIGUOUS TO LOTS 1-10, BLOCK 18 OF THE TOWNSITE PLAT OF ROSELAND SUBDIVISION AS SHOWN IN PLAT BOOK 1, PAGE 43 OF THE PUBLIC RECORDS OF SAINT LUCIE COUNTY, AS DESCRIBED HEREIN, SAID LAND NOW LYING IN INDIAN RIVER COUNTY, FLORIDA; SAID ABANDONMENT SUBJECT TO RETAINING A UTILITY EASEMENT.

WHEREAS, on March 3, 2017, Indian River County received a duly executed and documented petition from Robert H. Pritchett III requesting that the County close, vacate, abandon, discontinue, renounce, and disclaim any right, title, and interest of the County and the public in and to a 16 foot wide alley right-of-way running from 129th Court to 129th Street and lying immediately adjacent and contiguous Lots 1-10, Block 18 of the Townsite Plat of Roseland subdivision as shown in Plat Book 1, Page 43, of the Public Records of Saint Lucie County, Florida, said lands now lying and being 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 right-of-way is not a state or federal highway, not located within any municipality, not necessary for continuity of the County's street and thoroughfare network, and does not provide exclusive access to any private property; and

WHEREAS, the Board finds that a utility easement needs to be retained over the entire right-of-way to accommodate possible future utility uses.

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:

ALL OF THE 16.00 FEET WIDE ALLEY, LYING IMMEDIATELY ADJACENT AND CONTIGUOUS TO LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND 10, OF BLOCK 18 OF THE PLAT OF "TOWNSITE OF ROSELAND", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 43 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

CONTAINING: 4,800.00 S.F. MORE OR LESS.

RESOLUTION 2017-_____

Lying and being in Indian River County, Florida, is hereby forever closed, abandoned, renounced, disclaimed, and vacated **except that a utility easement shall be retained over the entire area of the subject abandonment.** (see Exhibit A attached)

- 2. The closing, vacation, and abandonment of these portions of public alley right-of-way 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. The alleyway shall revert equally to properties on both sides of the subject alley right-of-way within the Block 18 of the Townsite Plat of Roseland subdivision.

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 E. Flescher _____

Vice Chairman Peter D. O’ Bryan _____

Commissioner Susan Adams _____

Commissioner Tim Zorc _____

Commissioner Bob Solari _____

The Chairman thereupon declared the resolution duly passed and adopted this _____ day of _____, 2017.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

BY: _____
Joseph E. Flescher, Chairman

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

BY: _____
Deputy Clerk

RESOLUTION 2017-_____

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 _____, 2017.

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"

DESCRIPTION OF ALLEY ABANDONMENT:

ALL OF THE 16.00 FEET WIDE ALLEY, LYING IMMEDIATELY ADJACENT AND CONTIGUOUS TO LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND 10, OF BLOCK 18 OF THE PLAT OF "TOWNSITE OF ROSELAND, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 43 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

CONTAINING: 4,800.00 S.F. MORE OR LESS.

SURVEYOR'S NOTES:

1. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
2. NO SEARCH WAS MADE OF THE PUBLIC RECORDS BY THIS FIRM OR SURVEYOR FOR RIGHTS-OF-WAY, RESERVATIONS, EASEMENTS AND RESTRICTIONS OF RECORDS. THIS SKETCH AND DESCRIPTION IS BASED ON A PREVIOUS BOUNDARY SURVEY PERFORMED BY CARTER ASSOCIATES, INC., PROJECT NO. 17-254S, DRAWING NO. 20471-B.
3. ANY EXISTING IMPROVEMENTS, FOUNDATIONS AND UNDERGROUND UTILITIES WERE NOT OBSERVED OR RECORDED UNLESS OTHERWISE NOTED FOR THIS SKETCH AND DESCRIPTION.
4. THIS MAP IS A SKETCH AND DESCRIPTION ONLY. A BOUNDARY SURVEY WAS NOT PERFORMED TO DELINEATE SAID BOUNDARY LIMITS OF THE PORTION OF DESCRIBED ABANDONMENT.
6. THIS SKETCH AND DESCRIPTION IS COMPRISED OF 2 PAGES. ONE IS NOT VALID WITHOUT THE OTHER.

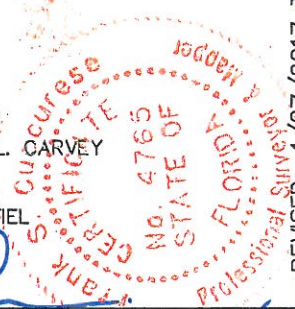
LEGEND

W	WEST
E	EAST
S	SOUTH
N	NORTH
(O)	OBSERVED DATA
(P)	PLAT DATA
(C)	CALCULATED DATA
R.O.W.	RIGHT OF WAY
P.B. PG.	PLAT BOOK, PAGE
S.L.CO., FL.	ST. LUCIE COUNTY, FLORIDA

CERTIFIED TO:

ROBERT H. PRITCHETT III.
 DAVID G. AND WYNNE L. CARVEY
 KEVAN JOHN ASHURST
 DAVID AND LINDA SEALTIEL

FRANK S. CUCCURESE, FL. PSM-4765
 C.A.I. LB. 205 SIGNATURE DATE: 4/27/2017



REVISED: 4/27/2017 TITLE OF DESCRIP., PER IRC SURVEYOR, FSC
 REVISED: 4/3/2017 PROPOSED ABAND. OF 16' ALLEY WIDTH, FSC

THIS MAP IS NOT A BOUNDARY SURVEY

S:\P17-254S Pritchett\dwg\17254S.dwg SKETCH-DESC-ALLEYS1

Apr 27, 17, 11:42 AM

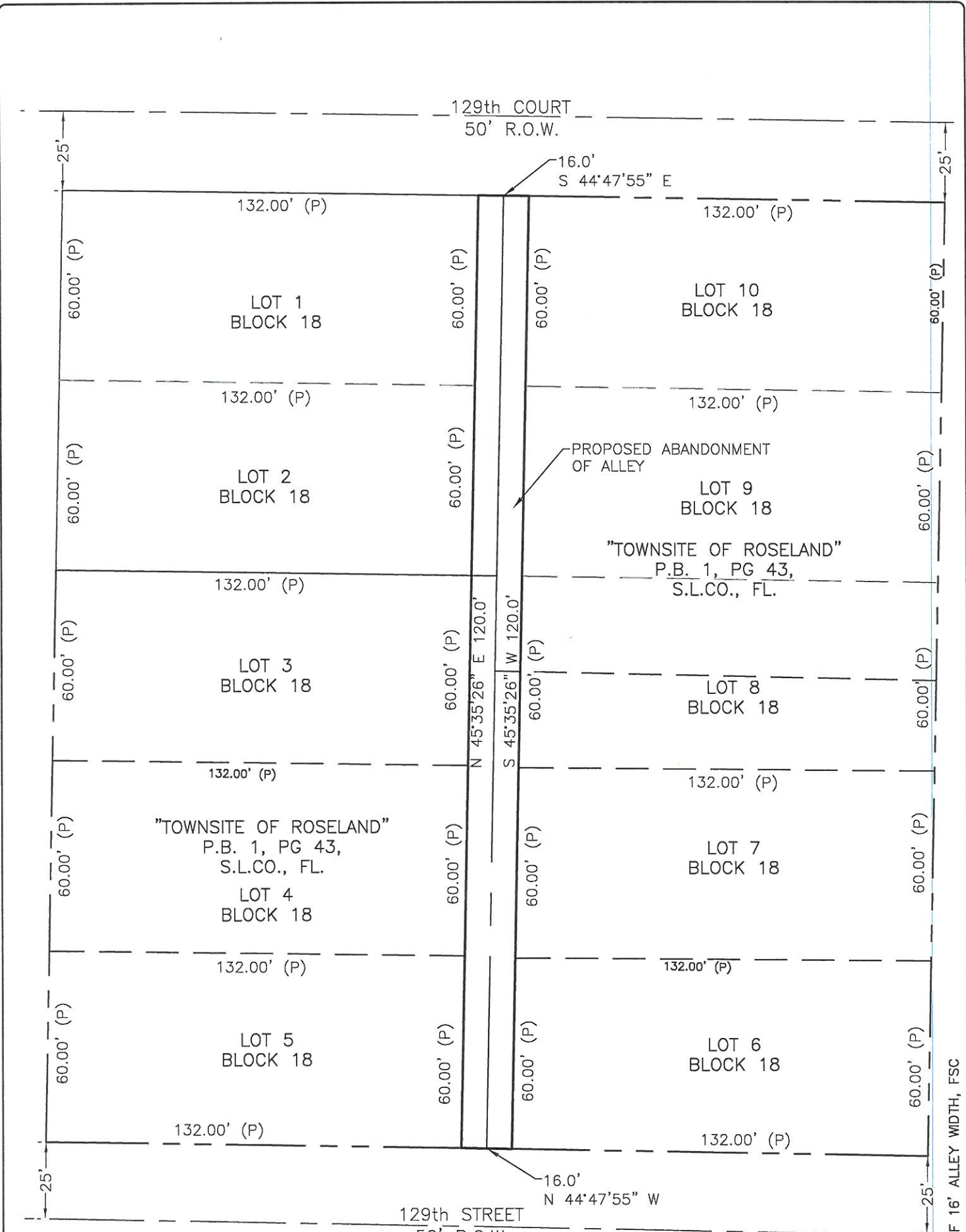
CAI Surveying Florida Since 1911 **CARTER ASSOCIATES, INC.**
 CONSULTING ENGINEERS AND LAND SURVEYORS
 1708 21st STREET, VERO BEACH, FL 32960
 TEL: (772) 562-4191 FAX: (772) 562-7180

DATE : APRIL 3, 2017
 PROJ. # : 17-254S
 DRAWN BY: FSC
 APPD. BY: FSC
 PLOT BY : Frank Cuccurese
 REF. # : 20471-B 17254S
 F.B. & PG. : -

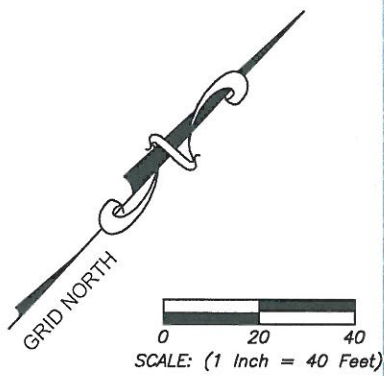
PROPOSED ABANDONMENT OF ALLEY
 PART OF BLOCK 18 OF
 "TOWNSITE OF ROSELAND" SUBDIVISION
 INDIAN RIVER COUNTY, FLORIDA
SKETCH AND DESCRIPTION

SHEET
1 OF 2
 Dwg. #. 20502-A

2015 5/1/17



THIS MAP IS NOT A BOUNDARY SURVEY



REVISED: 4/3/2017 PROPOSED ABAND. OF 16' ALLEY WIDTH, FSC

S:\P17-254S\Pinhead\dwg\17254S.dwg SKETCH-ALLEY-S2 Apr. 27, 17, 11:42 AM

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 TEL: (772) 562-4191 FAX: (772) 562-7180

DATE : APRIL 5, 2017
 PROJ. # : 17-254S
 DRAWN BY: FSC
 APPD. BY: FSC
 PLOT BY : Frank Cucouress
 REF. # : 20471-B 17254S
 F.B. & PG. : -

PROPOSED ABANDONMENT OF ALLEY
PART OF BLOCK 18 OF
"TOWNSITE OF ROSELAND" SUBDIVISION
 INDIAN RIVER COUNTY, FLORIDA
SKETCH AND DESCRIPTION

SHEET
2 OF 2
 Dwg. #. 20502-A