

RESOLUTION NO. 2023 - _____

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, RELEASING A PORTION OF AN OPEN SPACE / CONSERVATION EASEMENT IN TRACT 12, SECTION 10, TOWNSHIP 33 SOUTH, RANGE 39 EAST, PLAT OF INDIAN RIVER FARMS SUBDIVISION

WHEREAS, Indian River County has an interest in the Open Space / Conservation Easement recorded in the Official Records Book 2155, Page 1307 of the Public Records of Indian River County, Florida; and

WHEREAS, Grace Lutheran Church of Vero Beach, Inc., the owner of the property, has made an application to Indian River County requesting that the County release a portion of the easement; and

WHEREAS, the retention of that portion of the easement, as described below, serves no public purpose so long as it is replaced by a similar sized Open Space / Conservation Easement contained on the same property;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Indian River County, Florida that:

INDIAN RIVER COUNTY DOES HEREBY RELEASE and abandon all right, title, and interest that it may have in the following described portion of the easement:

a portion of the west half of the north 10 acres of the east half of Tract 12, Section 10, Township 33 South, Range 39 East, less the South 1.50 acres thereof, being more particularly described as follows: commencing at the northwest corner of said Tract 12, also being the northwest corner of Malaluka Gardens, as recorded in Plat Book 4, Page 10, of the Public Records of Indian River County; thence N90°00'00" E along the north line of said Tract 12 a distance of 1000.30 feet to northeast corner of the west 1/2 of the north 10 acres of the east 1/2 of Tract 12; thence S00°02'58"W, along the east line of the said west 1/2 of the north 10 acres of the east 1/2 of Tract 12, a distance of 30.00 feet to the south right-of-way line of Rosedale Rd (12th Street); thence S90°00'00"W along said south right-of-way line, parallel with the north line of the said Tract 12, a distance of 35.00 feet to the northeast corner of open space/conservation easement parcel No. 1 as described in Official Records Book 2155, Page 1307 of the Public Records of Indian River County, Florida; thence S57°30'30"W along the southerly line of said easement, 99.94 feet; thence continuing along said easement N32°29'30"W, 14.50 feet to the point of beginning of the herein described parcel: thence the following(s) courses along the southerly line of said easement, (1) S57°30'30"W, 58.00 feet; thence (2) S32°29'30"E, 14.50 feet; thence (3) S57°30'30"W, 9.10 feet; thence (4) S32°30'00"E, 8.00 feet; thence (5) S57°30'00"W, 5.63 feet; thence departing said southerly line, N30°44'00"W, 3.26 feet; thence S59°16'02"W, 15.50 feet; thence N30°43'13"W, 16.51 feet; thence N01°03'03"E, 19.87 feet; thence N18°24'56"W, 27.05 feet; thence N53°35'23"E, 27.45 feet; thence N75°57'30"E, 45.93 feet; thence S30°38'57"E, 27.89 feet to the point of beginning, containing 3,447 square feet or 0.08 acres more or less.

This release of easement is executed by Indian River County, a political subdivision of the State of Florida, whose mailing address is 1801 27th Street, Vero Beach, Florida 32960.

THIS RESOLUTION was moved for adoption by Commissioner _____, seconded by Commissioner _____, and adopted on the 20th day of June, 2023, by the following vote:

RESOLUTION NO. 2023 - _____

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

The Chairman declared the resolution duly passed and adopted this ____ day of ____, 2023

**BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY, FLORIDA**

By: _____
Joe Earman, Chairman

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

By: _____
Deputy Clerk

APPROVED AS TO LEGAL FORM:

William K. DeBaal
Deputy County Attorney

Cc: Applicant:

GRACE LUTHERAN CHURCH OF VERO BEACH, INC
1150 41ST AVENUE
VERO BEACH, FL 32960