

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

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR THE CLOSING, ABANDONMENT, VACATION AND DISCONTINUANCE OF A PORTION OF A 90 FOOT WIDE RIGHT-OF-WAY OF 57TH STREET (ALSO KNOWN AS STORM GROVE ROAD) LYING BETWEEN THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY AND THE EAST RIGHT OF WAY LINE OF THE LATERAL 'G' CANAL AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SHOWING SECTION 88508-2601 AS RECORDED IN PLAT BOOK 11, PAGE 29 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

WHEREAS, on May 25, 2016, Indian River County received a duly executed and documented petition from The Moorings Club, Inc., 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 portion of 57<sup>th</sup> Street (also known as Storm Grove Road) lying between the west right-of-way line of the Florida East Coast Railway and the east right-of-way line of the Lateral 'G' Canal, as shown in Plat Book 11, Page 29 of the Public Records of 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.

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:

A PORTION OF STORM GROVE ROAD LYING BETWEEN THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY AND THE EAST RIGHT OF WAY OF LATERAL G CANAL AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SHOWING SECTION 88508-2601 AS RECORDED IN PLAT BOOK 11, PAGE 29 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA,

AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SECTION 15, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, AND THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY; THENCE ALONG SAID WEST RIGHT OF WAY SOUTH 15°26'17" EAST, TO THE NORTH RIGHT OF WAY OF STORM GROVE ROAD FOR 2,705.58 FEET, ALSO

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BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY SOUTH 15°26'17" EAST TO THE SOUTH RIGHT OF WAY OF STORM GROVE ROAD, A DISTANCE OF 93.33 FEET; THENCE ALONG SAID SOUTH RIGHT OF WAY ON THE FOLLOWING COURSES: SOUTH 89°55'08" WEST, A DISTANCE OF 268.65 FEET; THENCE ON A RADIAL CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 10,999.64 FEET, A LENGTH OF 676.68 FEET, A DELTA OF 03°31'29", A CHORD BEARING OF NORTH 88°19'08" WEST, AND A CHORD DISTANCE OF 676.57 FEET; THENCE ON A REVERSE RADIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 10,681.03 FEET, A LENGTH OF 665.71 FEET, A DELTA OF 03°34'16", A CHORD BEARING OF NORTH 88°20'31" WEST, AND A CHORD DISTANCE OF 665.60 FEET TO A POINT; THENCE ALONG A NON-TANGENT LINE, NORTH 00°00'00" WEST, TO THE SAID NORTH RIGHT OF WAY, A DISTANCE OF 90.00 FEET; THENCE ALONG SAID NORTH RIGHT OF WAY ON A NON-RADIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 10,771.03 FEET, A LENGTH OF 671.12 FEET, A DELTA OF 03°34'12", A CHORD BEARING OF SOUTH 88°20'29" EAST, AND A CHORD DISTANCE OF 671.01 FEET; THENCE ON A REVERSE RADIAL CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 10,909.64 FEET, A LENGTH OF 671.14 FEET, A DELTA OF 03°31'29", A CHORD BEARING OF SOUTH 88°19'08" EAST, AND A CHORD DISTANCE OF 671.03 FEET; THENCE ON A RADIAL LINE NORTH 89°55'08" EAST A DISTANCE OF 243.93 FEET TO THE PLACE AND POINT OF BEGINNING.

Lying and being in Indian River County, Florida, is hereby forever closed, abandoned, renounced, disclaimed, and vacated (see "Exhibit A" attached) **except that those certain County utilities easements shall be retained as described and depicted in attached "Exhibit B"**.

2. The closing, vacation, and abandonment of this segment of public right-of-way is in the best interest 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 right-of-way shall revert equally to the properties on both sides of the subject segment of right-of-way.

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:

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Chairman Peter D. O’Bryan \_\_\_\_\_

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

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

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

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APPROVED AS TO PLANNING MATTERS

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

# EXHIBIT A

**LEGAL DESCRIPTION:**

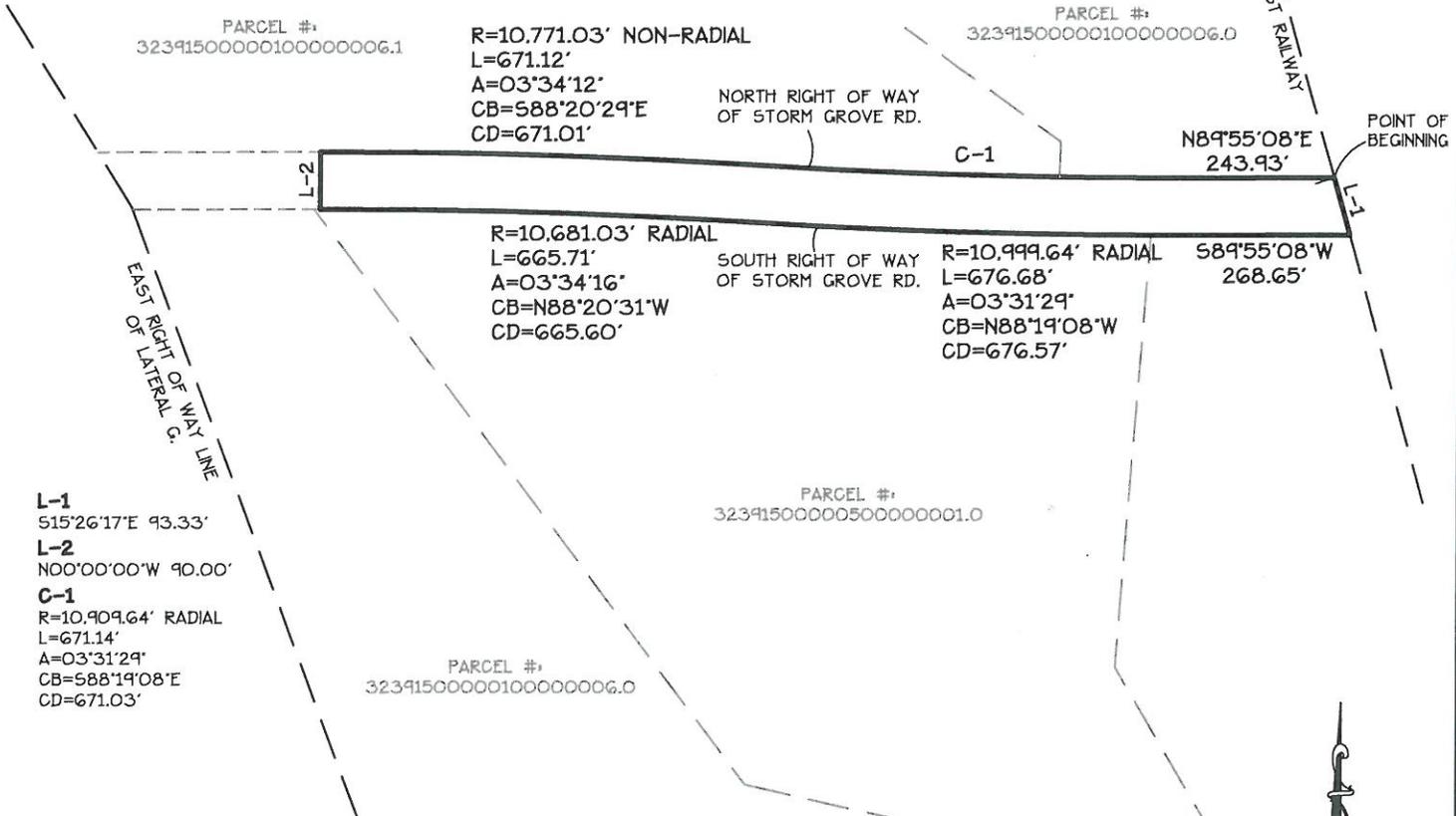
A PORTION OF STORM GROVE ROAD LYING BETWEEN THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY AND THE EAST RIGHT OF WAY OF LATERAL G CANAL AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SHOWING SECTION 88508-2601 AS RECORDED IN PLAT BOOK 11, PAGE 29 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SECTION 15, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, AND THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY; THENCE ALONG SAID WEST RIGHT OF WAY SOUTH 15°26'17" EAST, TO THE NORTH RIGHT OF WAY OF STORM GROVE ROAD FOR 2,705.58 FEET, ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY SOUTH 15°26'17" EAST TO THE SOUTH RIGHT OF WAY OF STORM GROVE ROAD, A DISTANCE OF 93.33 FEET; THENCE ALONG SAID SOUTH RIGHT OF WAY ON THE FOLLOWING COURSES: SOUTH 89°55'08" WEST, A DISTANCE OF 268.65 FEET; THENCE ON A RADIAL CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 10,999.64 FEET, A LENGTH OF 676.68 FEET, A DELTA OF 03°31'29". A CHORD BEARING OF NORTH 88°19'08" WEST, AND A CHORD DISTANCE OF 676.57 FEET; THENCE ON A REVERSE RADIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 10,681.03 FEET, A LENGTH OF 665.71 FEET, A DELTA OF 03°34'16". A CHORD BEARING OF NORTH 88°20'31" WEST, AND A CHORD DISTANCE OF 665.60 FEET TO A POINT; THENCE ALONG A NON-TANGENT LINE, NORTH 00°00'00" WEST, TO THE SAID NORTH RIGHT OF WAY, A DISTANCE OF 90.00 FEET; THENCE ALONG SAID NORTH RIGHT OF WAY ON A NON-RADIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 10,771.03 FEET, A LENGTH OF 671.12 FEET, A DELTA OF 03°34'12". A CHORD BEARING OF SOUTH 88°20'29" EAST, AND A CHORD DISTANCE OF 671.01 FEET; THENCE ON A REVERSE RADIAL CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 10,909.64 FEET, A LENGTH OF 671.14 FEET, A DELTA OF 03°31'29". A CHORD BEARING OF SOUTH 88°19'08" EAST, AND A CHORD DISTANCE OF 671.03 FEET; THENCE ON A RADIAL LINE NORTH 89°55'08" EAST A DISTANCE OF 243.93 FEET TO THE PLACE AND POINT OF BEGINNING.

POINT OF COMMENCEMENT

N. LINE OF SEC. 15.  
TWP. 32 S., RANGE 39 E.

PARCEL #:  
323904000000888888000000.0



**L-1**  
S15°26'17"E 93.33'  
**L-2**  
N00°00'00"W 90.00'  
**C-1**  
R=10,909.64' RADIAL  
L=671.14'  
A=03°31'29"  
CB=S88°19'08"E  
CD=671.03'

**R=10.771.03' NON-RADIAL**  
L=671.12'  
A=03°34'12"  
CB=S88°20'29"E  
CD=671.01'

**R=10.681.03' RADIAL**  
L=665.71'  
A=03°34'16"  
CB=N88°20'31"W  
CD=665.60'

**R=10.999.64' RADIAL**  
L=676.68'  
A=03°31'29"  
CB=N88°19'08"W  
CD=676.57'

*William E. Hayhurst*  
WILLIAM E. HAYHURST  
PROFESSIONAL SURVEYOR + MAPPER  
FLORIDA REGISTRATION NO 4416

1/30/19  
DATE SIGNED

**\*SKETCH IS NOT A SURVEY\***

THIS DRAWING AND COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



**HAYHURST LAND SURVEYING INC.**  
CERTIFICATE OF AUTHORIZATION NUMBER (L.B. 7364)  
SURVEYING AND MAPPING COMPANY  
445 9TH ST. S.W. Unit-7  
VERO BEACH, FL. 32962  
PHONE: (772) 569-6680  
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hayhurstls@lve.com

SURVEY TYPE	DATE:	INT.	REVISIONS:
SKETCH	11/6/17	LEH	REV. PER REQUEST
DRAWN BY:	LEH.		
CHECKED BY:	W.E.H.		
FIELD BOOK:	SEE		
PAGE NO:	FILE		
FIELD DATE:	-		
SCALE:	1"=300'		
JOB NO:	15-315		

*JMS  
2/14/19*

# EXHIBIT B

## A 20 FOOT I.R.C.D.U.S. EASEMENT

A PORTION OF ABANDONED STORM GROVE ROAD LYING BETWEEN THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY AND THE EAST RIGHT OF WAY OF LATERAL G CANAL AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SHOWING SECTION 88508-2601 AS RECORDED IN PLAT BOOK 11, PAGE 29 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

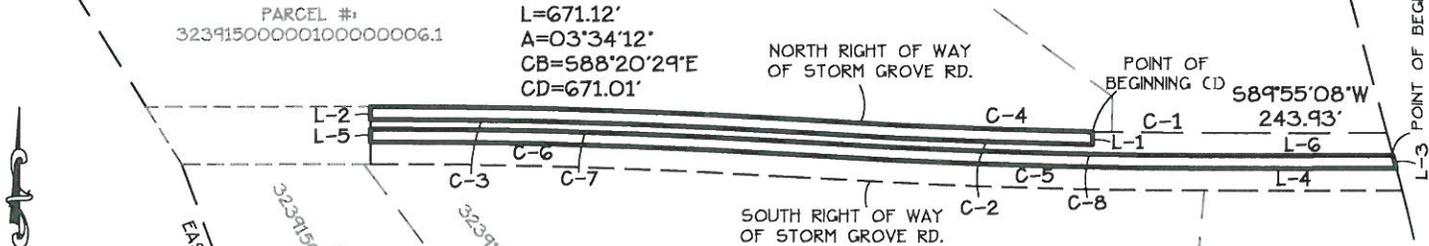
### PARCEL CD:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SECTION 15, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, AND THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY, THENCE ALONG SAID WEST RIGHT OF WAY SOUTH 15°26'17" EAST, TO THE NORTH RIGHT OF WAY OF STORM GROVE ROAD FOR 2,705.58 FEET, THENCE ALONG SAID NORTH RIGHT OF WAY, SOUTH 89°55'08" WEST A DISTANCE OF 243.93 FEET, THENCE ON A RADIAL CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 10,909.64 FEET, A LENGTH OF 216.28 FEET, A DELTA OF 01°08'09", A CHORD BEARING OF NORTH 89°30'47" WEST, AND A CHORD DISTANCE OF 216.28 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 01°03'17" WEST, A DISTANCE OF 20.00 FEET, THENCE ON A NON-RADIAL CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 10,929.64 FEET, A LENGTH OF 455.69 FEET, A DELTA OF 02°23'20", A CHORD BEARING OF NORTH 87°45'03" WEST, AND A CHORD DISTANCE OF 455.66 FEET, THENCE ON A REVERSE RADIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 10,751.03 FEET, A LENGTH OF 669.92 FEET, A DELTA OF 03°34'13", A CHORD BEARING OF NORTH 88°20'29" WEST, AND A CHORD DISTANCE OF 669.81 FEET, THENCE ALONG A NON-TANGENT LINE, NORTH 00°00'00" WEST, TO THE SAID NORTH RIGHT OF WAY, A DISTANCE OF 20.00 FEET, THENCE ALONG A NON-RADIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 10,771.03 FEET, A LENGTH OF 671.12 FEET, A DELTA OF 03°34'12", A CHORD BEARING OF SOUTH 88°20'29" EAST, AND A CHORD DISTANCE OF 671.01 FEET, THENCE ON A REVERSE RADIAL CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 10,909.64 FEET, A LENGTH OF 454.86 FEET, A DELTA OF 02°23'20", A CHORD BEARING OF SOUTH 87°45'03" EAST, AND A DISTANCE OF 454.83 FEET TO THE PLACE AND POINT OF BEGINNING.

### PARCEL CID:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SECTION 15, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, AND THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY, THENCE ALONG SAID WEST RIGHT OF WAY SOUTH 15°26'17" EAST, A DISTANCE OF 2,741.88 TO THE POINT OF BEGINNING, THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY, SOUTH 15°26'17" EAST, A DISTANCE OF 20.74 FEET, THENCE PARALLEL TO SAID NORTH RIGHT OF WAY, SOUTH 89°55'08" WEST, A DISTANCE OF 259.04 FEET, THENCE ALONG A RADIAL CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 10,964.64 FEET, A LENGTH OF 674.52 FEET, A DELTA OF 03°31'29", A CHORD BEARING OF NORTH 88°19'08" WEST, AND A CHORD DISTANCE OF 674.42 FEET, THENCE ALONG A REVERSE RADIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 10,716.03 FEET, A LENGTH OF 667.81 FEET, A DELTA OF 03°34'14", A CHORD BEARING OF NORTH 88°20'30" WEST, AND A CHORD DISTANCE OF 667.70 FEET, THENCE ALONG A NON-TANGENT LINE, NORTH 00°00'00" WEST, TO SAID NORTH RIGHT OF WAY, A DISTANCE OF 20.00 FEET, THENCE ALONG A NON-RADIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 10,736.03 FEET, A LENGTH OF 669.01 FEET, A DELTA OF 03°34'13", A CHORD BEARING OF SOUTH 88°20'30" EAST, AND A CHORD DISTANCE OF 668.91 FEET, THENCE ALONG A REVERSE RADIAL CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 10,944.64 FEET, A LENGTH OF 673.29 FEET, A DELTA OF 03°31'29", A CHORD BEARING OF SOUTH 88°19'08" EAST, AND A CHORD DISTANCE OF 673.19 FEET, THENCE ALONG A LINE PARALLEL TO SAID NORTH RIGHT OF WAY, NORTH 89°55'08" EAST, A DISTANCE OF 253.54 FEET TO THE PLACE AND POINT OF BEGINNING.

R=10,771.03' N.R.  
L=671.12'  
A=03°34'12"  
CB=588°20'29"E  
CD=671.01'



N.R. - NON-RADIAL  
RAD. - RADIAL  
IRCDUS - INDIAN RIVER COUNTY DEPARTMENT OF UTILITIES SERVICES

L-1	501°03'17"W 20.00'	L-3	515°26'17"E 20.74'	L-5	N00°00'00"W 20.00'		
L-2	N00°00'00"W 20.00'	L-4	589°55'08"W 259.04'	L-6	N89°55'08"E 253.54'		
C-1	R=10,909.64' RAD. L=216.28' A=01°08'09" CB=N89°30'47"W CD=216.28'	C-2	R=10,929.64' N.R. L=455.69' A=02°23'20" CB=N87°45'03"W CD=455.66'	C-3	R=10,751.03' RAD. L=669.92' A=03°34'13" CB=N88°20'29"W CD=669.81'	C-4	R=10,909.64' RAD. L=454.86' A=02°23'20" CB=587°45'03"E CD=454.83'
C-5	R=10,964.64' RAD. L=674.52' A=03°31'29" CB=N88°19'08"W CD=674.42'	C-6	R=10,716.03' RAD. L=667.81' A=03°34'14" CB=N88°20'30"W CD=667.70'	C-7	R=10,736.03' N.R. L=669.01' A=03°34'13" CB=588°20'30"E CD=668.91'	C-8	R=10,944.64' RAD. L=673.29' A=03°31'29" CB=588°19'08"E CD=673.19'

*William E. Hayhurst*  
WILLIAM E. HAYHURST  
PROFESSIONAL SURVEYOR + MAPPER  
FLORIDA REGISTRATION NO 4416

*2/28/18*  
DATE SIGNED

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SURVEY TYPE:	SKETCH	DATE:	INT.	REVISIONS:
DRAWN BY:	L.E.H.	11/6/17	LEH	REV. PER REQUEST
CHECKED BY:	W.E.H.	2/7/18	JDU	REV. PER REQUEST
FIELD BOOK:	SEE			
PAGE NO.:	FILE			
FIELD DATE:				
SCALE:	1"=300'			
JOB NO.:	15-315			