

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR THE CLOSING, ABANDONMENT, VACATION AND DISCONTINUANCE OF THE WEST 20 FEET OF SEMINOLE TRAIL (A.K.A. 10TH AVENUE) ADJACENT TO LOT 21 OF THE RIVERSIDE ESTATES SUBDIVISION, PER INDIAN RIVER COUNTY PLAT BOOK 5, PAGE 50, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

WHEREAS, Indian River County originally received a duly executed and documented petition from John Chamberlain on September 6, 2017, 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 the west 20 feet of Seminole Trail (a.k.a. 10th Avenue) adjacent to Lot 21 of the Riverside Estates Subdivision, per Indian River County Plat Book 5, Page 50, 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 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:

THE WEST 20 FEET OF SEMINOLE TRAIL ADJACENT TO LOT 21, RIVERSIDE ESTATES AS RECORDED IN PLAT BOOK 5, PAGE 50, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 21, THENCE PROCEED EAST ON AN EASTERLY EXTENSION OF THE SOUTH LINE OF SAID OF LOT 21, A DISTANCE OF 20.00 FEET; THENCE PROCEED NORTH AND PARALLEL TO THE EAST LINE OF SAID LOT 21, A DISTANCE 131.50 FEET TO AN INTERSECTION WITH AN EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 21; THENCE PROCEED WEST ALONG SAID EASTERLY EXTENSION A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 21; THENCE PROCEED SOUTH ON THE EAST LINE OF SAID LOT 21, A DISTANCE OF 131.50 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINNING 0.06 ACRES, MORE OR LESS.

Lying and being in Indian River County, Florida, is hereby forever closed, abandoned, renounced, disclaimed, and vacated **except that a 10 foot wide drainage and utility easement shall be retained along the north end of the subject right-of-way abandonment area** (see attached Exhibit A).

2. The closing, vacation, and abandonment of this segment of public 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 subject right-of-way shall revert entirely to and be combined with Lot 21 of the Riverside Estates 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 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

State of Florida
County of Indian River

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

**SKETCH OF LEGAL DESCRIPTION FOR:
SEMINOLE TRAIL RIGHT-OF-WAY ABANDONMENT
(NOT A SURVEY)**

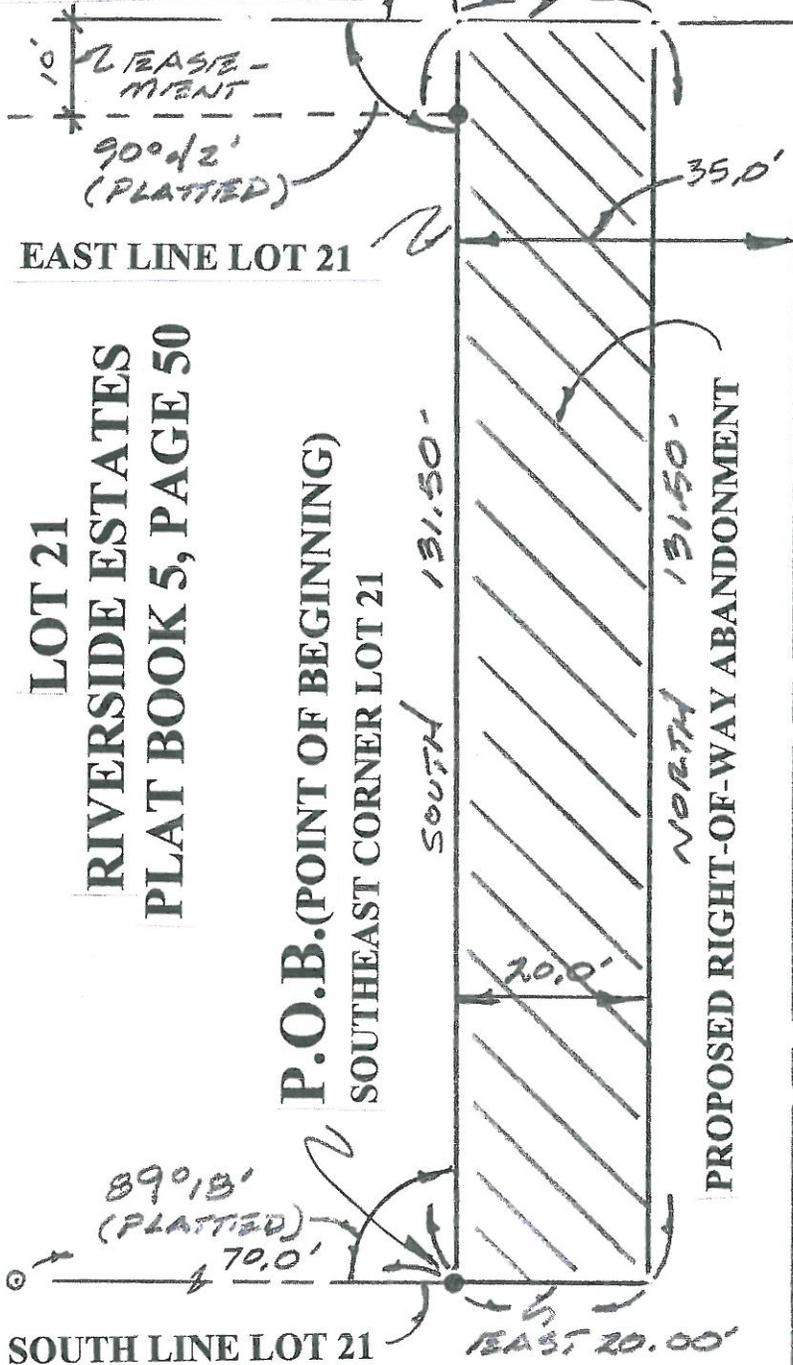
EXHIBIT "A"

NORTHEAST CORNER LOT 21

NORTH LINE LOT 21

WEST 20.00'

UNPLATTED LANDS



LOT 21

RIVERSIDE ESTATES
PLAT BOOK 5, PAGE 50

P.O.B. (POINT OF BEGINNING)
SOUTHEAST CORNER LOT 21

SOUTH 131.50'

NORTH 131.50'
PROPOSED RIGHT-OF-WAY ABANDONMENT

20.00'

35.00'

SEMINOLE TRAIL 70' RIGHT-OF-WAY

CENTERLINE OF
RIGHT-OF-WAY

RIGHT-OF-WAY LINE



PICKERING & ASSOCIATES
PROFESSIONAL LAND SURVEYING
612 HOLLY ROAD
VERO BEACH, FL 32963
Ph: 772-231-9323 Cell: 772-489-2349
E-mail: pickeringassoc@aim.com

SOUTH LINE LOT 21

EAST 20.00'

MORNINGSIDE DRIVE 70' RIGHT-OF-WAY

SCALE: 1 INCH = 20 FEET

THIS SKETCH OF LEGAL DESCRIPTION NOT VALID WITHOUT SIGNATURE AND
EMBOSSSED SEAL, SEE PAGE 2 OF 2.

JS
12/12

**SKETCH OF LEGAL DESCRIPTION FOR:
SEMINOLE TRAIL RIGHT-OF-WAY ABANDONMENT
(NOT A SURVEY)**

EXHIBIT "A"

LEGAL DESCRIPTION:

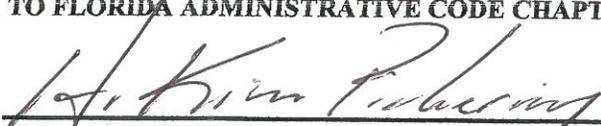
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SKETCH OF LEGAL DESCRIPTION PREPARED BY: H. KIM PICKERING, PROFESSIONAL LAND SURVEYOR 4859, 7/9/18.

REFERENCE JOB NO. 17-211

SURVEYORS CERTIFICATE:

I H. KIM PICKERING DO HEREBY CERTIFY THAT I AM A DULY LICENSED AND PRACTICING REGISTERED LAND SURVEYOR IN THE STATE OF FLORIDA; THAT THIS LEGAL DESCRIPTION SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS, PURSUANT TO FLORIDA ADMINISTRATIVE CODE CHAPTER 5J-17.


H. KIM PICKERING,

PROFESSIONAL LAND SURVEYOR NO. 4859 FL.

THIS SKETCH OF LEGAL DESCRIPTION NOT VALID WITHOUT SIGNATURE AND EMBOSSED SEAL OF SAID SURVEYOR

