

RESOLUTION 2023-_____

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 30' WIDE UNIMPROVED, UNNAMED RIGHT-OF-WAY, WEST OF LOT 7 AND EAST OF THE FEC RAILROAD IN THE VERO LAND COMPANY SUBDIVISION LOCATED IN INDIAN RIVER COUNTY, FLORIDA.

WHEREAS, Indian River County originally received a duly executed and documented petition from Enterprise Leasing Company of Florida, LLC on March 16, 2023, 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 a 30' wide unimproved, unnamed right-of-way, west of Lot 7 and east of the FEC Railway in the Vero Land Company Subdivision located 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 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 30 FOOT STRIP OF LAND IN THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 39 EAST, LYING EAST OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY AND WEST OF LOT 7, AS DEPICTED ON THE PLAT OF VERO LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 19, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW LYING IN INDIAN RIVER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 7, SAID POINT BEING THE BEGINNING OF A NON-RADIAL CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 8912.84 FEET, A CENTRAL ANGLE OF 02°13'32", AN ARC LENGTH OF 346.21 FEET, A CHORD BEARING OF SOUTH 18°28'46" EAST, TO THE SOUTHWEST CORNER OF SAID LOT 7, A CHORD DISTANCE OF 346.19 FEET; THENCE ALONG THE WESTERLY EXTENSION OF SAID SOUTH LINE, NORTH 89°41'36" WEST, TO THE EAST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY, A DISTANCE OF 31.90 FEET TO A NON-RADIAL CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 8942.84 FEET, A CENTRAL ANGLE OF 01°49'37", AN ARC LENGTH OF 285.16 FEET, A CHORD

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BEARING OF NORTH 18°36'33" WEST, TO THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 39 EAST, FOR A CHORD DISTANCE OF 285.14 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE AND ALONG SAID SECTION LINE, NORTH 00°24'34" EAST, TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 58.00 FEET; THENCE DEPARTING SAID SECTION LINE AND ALONG SAID WESTERLY EXTENSION OF SAID NORTH LINE, SOUTH 89°42'51" EAST, A DISTANCE OF 12.75 FEET TO THE PLACE AND POINT OF BEGINNING.

SAID LANDS CONTAINING 9,839 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.

Lying and being in Indian River County, Florida is hereby forever closed, abandoned, renounced, disclaimed, and vacated (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 portion of right-of-way that is located immediately west of Lot 7 and east of the FEC Railroad shall revert entirely to and be absorbed into Lot 7 in the Vero Land Company Subdivision in Indian River County, Florida.

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:

_____ Susan Adams	_____
_____ Joseph E. Flescher	_____
_____ Joseph H. Earman	_____
_____ Deryl Loar	_____
_____ Laura Moss	_____

The Chairman thereupon declared the resolution duly passed and adopted this _____ day of _____, 2023.

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BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

BY: _____

ATTEST: Ryan L. Butler, Clerk of Court and Comptroller

BY: _____
Deputy Clerk
State of Florida
County of Indian River

I HEREBY CERTIFY that on this day, before me, an 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 _____, 2023.

Notary Public

APPROVED AS TO LEGAL SUFFICIENCY

BY: _____
William K. DeBraul, County Attorney

APPROVED AS TO PLANNING MATTERS

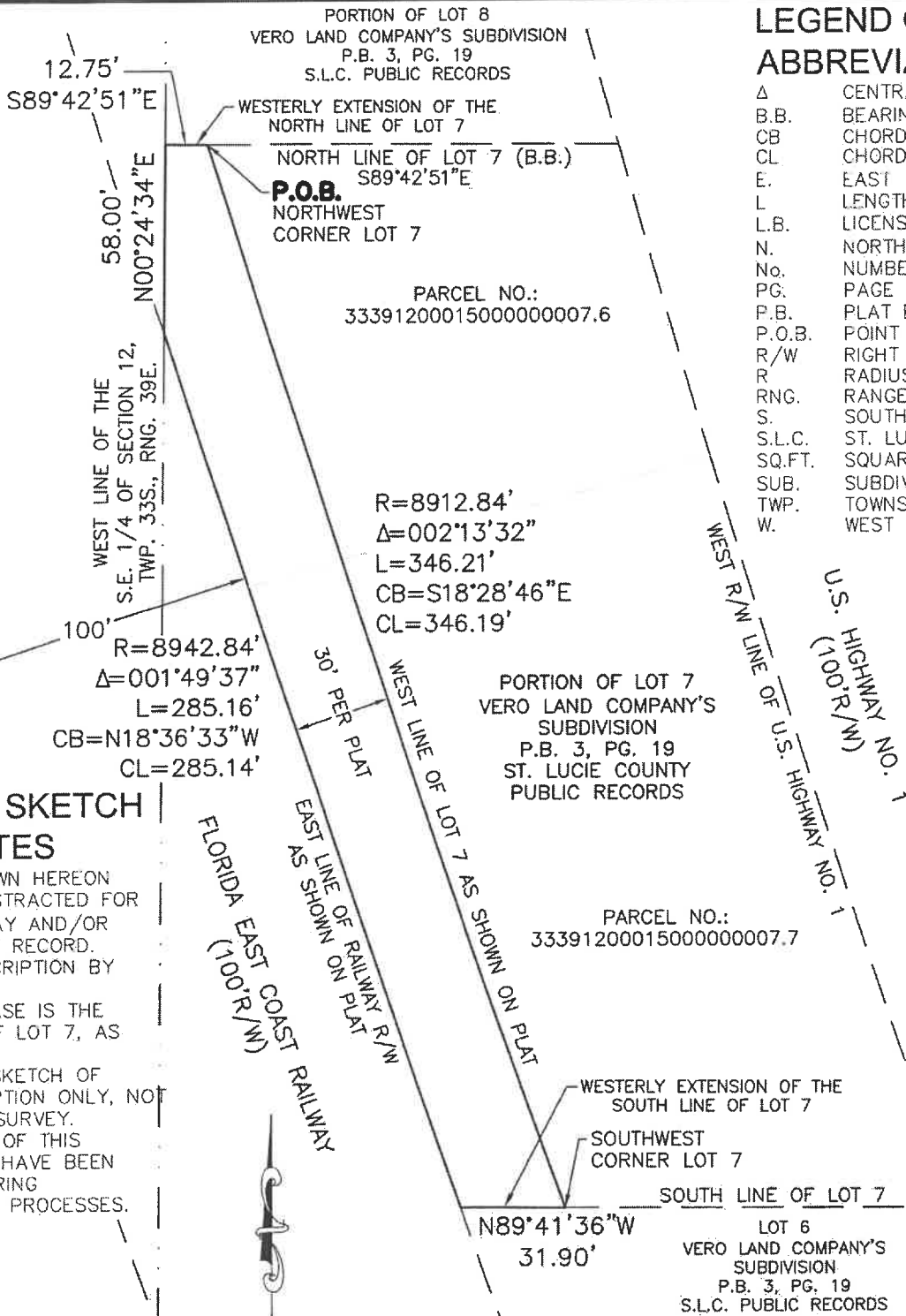
BY: _____
Andrew Sobczak, Planning & Development Services Director

Exhibit A

Printed on Friday, September 22, 2023, 8:15 AM by CADTECH-POWERPC X:\SCANS\KMA-CAB-2022\2011 885 + 905 US1\30' ABANDONMENT- - - - ->LAYOUT: RW ABNDN

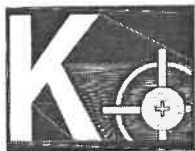
LEGEND OF ABBREVIATIONS

Δ	CENTRAL ANGLE(DELTA)
B.B.	BEARING BASE
CB	CHORD BEARING
CL	CHORD LENGTH
E.	EAST
L	LENGTH
L.B.	LICENSED BUSINESS
N.	NORTH
No.	NUMBER
PG.	PAGE
P.B.	PLAT BOOK
P.O.B.	POINT OF BEGINNING
R/W	RIGHT OF WAY
R	RADIUS
RNG.	RANGE
S.	SOUTH
S.L.C.	ST. LUCIE COUNTY
SQ.FT.	SQUARE FEET
SUB.	SUBDIVISION
TWP.	TOWNSHIP
W.	WEST



LEGAL & SKETCH NOTES

1. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY AND/OR EASEMENTS OF RECORD.
2. LEGAL DESCRIPTION BY SURVEYOR.
3. BEARING BASE IS THE NORTH LINE OF LOT 7, AS SHOWN.
4. THIS IS A SKETCH OF LEGAL DESCRIPTION ONLY, NOT A BOUNDARY SURVEY.
5. THE SCALE OF THIS DRAWING MAY HAVE BEEN DISTORTED DURING REPRODUCTION PROCESSES.



KMA

ENGINEERING & SURVEYING, LLC.
 3001 INDUSTRIAL AVE 2
 FT. PIERCE, FL 32949
 PHONE: (772) 569-5505
 L.B. NO. 8351

REVISED PER COUNTY COMMENTS - 9/21/23

SHEET 1 OF 2

R/W ABANDONMENT LEGAL & SKETCH

PROJECT No.: 22-2011
 DRAWN BY: PCS
 CHECKED BY: WEH
 DATE: 4/20/23
 SCALE: 1"=50'

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



Digitally signed by William E Hayhurst
 DN: cn=William E Hayhurst c=US o=Florida
 Reason: I attest to the accuracy and
 integrity of this document
 Date: 2023-09-25 12:34:04 00

WILLIAM E. HAYHURST
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA REGISTRATION NO 4416

DATE

Exhibit A

Printed on Monday, September 25, 2023, 12:16 PM by CADTECH-POWERPC-SCANS\KMA-CAB-2022\2011 885 + 905 US1\30' ABANDONMENT-LAYOUT: RW ABNDN (2)

LEGAL DESCRIPTION

A 30 FOOT STRIP OF LAND IN THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 39 EAST, LYING EAST OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY AND WEST OF LOT 7, AS DEPICTED ON THE PLAT OF VERO LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 19, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW LYING IN INDIAN RIVER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SHEET 2 OF 2



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PHONE: (772) 569-5505
L.B. NO. 8351

R/W ABANDONMENT LEGAL & SKETCH

PROJECT No.:	22-2011
DRAWN BY:	PCS
CHECKED BY:	WEH
DATE:	4/20/23
SCALE:	N/A

DWS
10-25-23