

RESOLUTION NO. 2017-_____

**A RESOLUTION OF INDIAN RIVER
COUNTY, FLORIDA, ACCEPTING A RIGHT-
OF-WAY DEDICATION AND CANCELLING
CERTAIN TAXES UPON PUBLICLY OWNED
LANDS, PURSUANT TO SECTION 196.28,
FLORIDA STATUTES.**

WHEREAS, section 196.28, Florida Statutes, allows the Board of County Commissioners of each County to cancel and discharge any and all liens for taxes, delinquent or current, held or owned by the county or the state, upon lands heretofore or hereafter conveyed to or acquired by any agency, governmental subdivision, or municipality of the state, or the United States, for road purposes, defense purposes, recreation, reforestation, or other public use; and

WHEREAS, such cancellation must be by resolution of the Board of County Commissioners, duly adopted and entered upon its minutes properly describing such lands and setting forth the public use to which the same are or will be devoted; and

WHEREAS, upon receipt of a certified copy of such resolution, proper officials of the county and of the state are authorized, empowered, and directed

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to make proper entries upon the records to accomplish such cancellation and to do all things necessary to carry out the provisions of section 196.28, F.S.;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, that:

1. The dedication of right-of-way as described in O.R. Book 3000, at Page 501 of the Public Records of Indian River County, Florida, is hereby accepted; and

2. Any and all liens for taxes delinquent or current against the following described lands, which were acquired for right-of-way from 1066 US HWY 1, LLC, a Florida limited liability company, are hereby cancelled pursuant to the authority of section 196.28, F.S.

See attached warranty deed describing lands, recorded in O.R. Book 3000 at Page 501, Public Records of Indian River County, Florida.

The resolution was moved for adoption by Commissioner _____, and 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 _____

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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

| | | |
|---|-------------|----------|
| Tax Certificates Outstanding | <u> </u> | <u>✓</u> |
| | Yes | No |
| Current Prorated Tax Received and Deposited with Tax Collector | \$ <u>0</u> | |

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**
BY 
**WILLIAM K. DEBRAAL
DEPUTY COUNTY ATTORNEY**

THIS INDENTURE, made this 20th day of January, 2017 between **1066 US HWY 1, LLC, a Florida limited liability company**, whose mailing address is 4 E. 80th Street, New York, New York 10075, hereinafter called GRANTOR, and **INDIAN RIVER COUNTY, a political subdivision of the State of Florida**, whose mailing address is 1801 27th Street, Vero Beach, Florida 32960, hereinafter called GRANTEE.

WITNESSETH:

That GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the GRANTEE, and GRANTEE'S successors and assigns forever, the following described land, situate, lying and being in Indian River County, Florida:

See Exhibit "A" attached hereto and made a part hereof.

GRANTOR does hereby fully warrant the title to the land, and will defend the same against the lawful claims of all persons whomsoever.

Signed, sealed and delivered in the presence of:

1066 US HWY 1, LLC, a Florida limited liability company

signature: [Signature]
printed name: Yasha Lichtschein

By **THE KEVIN ROBERTS TRUST**
dated **December 30, 1992**
ITS MANAGER

signature: [Signature]
printed name: Richard C Bittner, Jr

By [Signature]
Kirk Roberts, Co-Trustee

signature: [Signature]
printed name: Yasha Lichtschein

By **THE KIRK ROBERTS TRUST**
dated **December 30, 1992**
ITS MANAGER

signature: [Signature]
printed name: Richard C. Bittner, Jr.

By [Signature]
Kevin Roberts, Co-Trustee

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
BY [Signature]
WILLIAM K. DEBRAAL
DEPUTY COUNTY ATTORNEY

STATE OF Florida
COUNTY OF Palm Beach

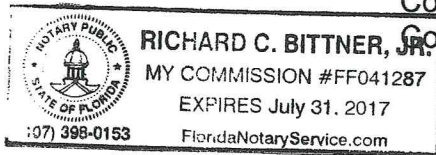
The foregoing instrument was acknowledged before me this 20th day of January, 2017, by Kirk Roberts, as Co-Trustee of THE KEVIN ROBERTS TRUST dated December 30, 1992, who executed on behalf of and with the authority of said trust, which is a manager of 1066 US HWY 1, LLC, a Florida limited liability company. He is either personally known to me or has produced N/A (driver's license or passport) as identification.

NOTARY PUBLIC



printed name: Richard C. Bittner, Jr.
Commission No.: FF041287
Commission Expiration: July 31, 2017

(SEAL):



STATE OF Florida
COUNTY OF Palm Beach

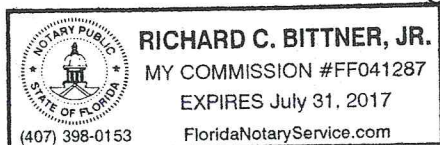
The foregoing instrument was acknowledged before me this 20th day of January, 2017, by Kevin Roberts, as Co-Trustee of THE KIRK ROBERTS TRUST dated December 30, 1992, who executed on behalf of and with the authority of said trust, which is a manager of 1066 US HWY 1, LLC, a Florida limited liability company. He is either personally known to me or has produced N/A (driver's license or passport) as identification.

NOTARY PUBLIC



printed name: Richard C Bittner, Jr.
Commission No.: FF041287
Commission Expiration: July 31, 2017

(SEAL):



LEGAL DESCRIPTION FOR RIGHT OF WAY DEDICATION

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE WEST ONE-HALF (1/2) OF LOT 3, OF VERO LAND COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 19, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. SAID LAND NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

COMMENCE AT THE NORTHEAST CORNER OF THE NE1/4 OF THE SW1/4 OF THE SE1/4 OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 39 EAST; RUN WEST ALONG THE CENTERLINE OF 10th STREET, A DISTANCE OF 663.80 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE CENTERLINE OF SAID 10th STREET AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF AFOREMENTIONED LOT 3; THENCE RUN NORTH 01°00'37" EAST, ALONG THE EAST LINE OF SAID LOT 3, AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 650.19 FEET TO A POINT THAT IS 12.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 3, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 89°56'17" WEST, ALONG A LINE LYING 12.00 FEET SOUTH OF, AND PARALLEL WITH THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 591.37 FEET TO THE BEGINNING OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 90°57'40"; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 55.56 FEET TO A POINT OF CUSP WITH A CIRCULAR CURVE CONCAVE TO THE EAST TO WHICH A RADIAL LINE BEARS NORTH 89°06'03" EAST TO CENTER OF SAID CURVE, HAVING A RADIUS OF 4871.15 FEET AND A CENTRAL ANGLE OF 00°33'35"; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.59 FEET TO A POINT ON SAID NORTH LINE OF LOT 3; THENCE SOUTH 89°56'17" EAST, NON-TANGENT TO LAST DESCRIBED CURVE, AND ALONG SAID NORTH LINE, A DISTANCE OF 627.13 FEET TO A POINT ON SAID EAST LINE OF SAID LOT 3; THENCE SOUTH 01°00'37" WEST, ALONG SAID EAST LINE, A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING.


CONTAINING: 7795.55 SQUARE FEET OR 0.18 ACRES ±.

NOTES:

1. THIS SKETCH OF LEGAL DESCRIPTION DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARING BASE OF THIS SKETCH OF LEGAL DESCRIPTION IS S89°56'17"E ALONG THE NORTH LINE OF LOT 3,
3. THE INFORMATION WAS PROVIDED BY "ROBERTS EQUITIES, LLC"
4. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THE "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA STATUTES, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.


 ROBERT BLOOMSTER, JR.
 PROFESSIONAL LAND SURVEYOR
 NO. 4134 STATE OF FLORIDA

BLOOMSTER
 PROFESSIONAL LAND
 SURVEYORS, INC.
FLORIDA L.B. # 6018

641 NORTHEAST SPENCER STREET
 JENSEN BEACH, FLORIDA 34957
 PHONE 772-334-0868

| | |
|--------------|---------------|
| SHEET 1 OF 2 | |
| SCALE: | 1" = 80' |
| DATE: | 7/18/2016 |
| F.B. | SKETCH |
| JOB NO. | 13016 |
| REVISIONS | |
| 10/21/16 | RADIUS CHANGE |
| 12/5/15 | IRC COMMENTS |

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
 PREPARED FOR: ROBERTS EQUITIES, LLC
 SITE LOCATED: 1066 U.S. HIGHWAY NO. 1
 VERO BEACH, INDIAN RIVER COUNTY, FLORIDA

NOT VALID WITHOUT SHEET 2 OF 2

EXHIBIT "A"

US HIGHWAY NO. 1 - STATE ROAD NO.5)
 80' R/W PER F.D.O.T. R/W MAP NO. 8801 - 150,206
 WEST LINE OF LOT 3

$R=4871.15'$ $L=47.59'$
 $D=00^{\circ}33'35''$

NW CORNER OF LOT 3

$N89^{\circ}06'03''E$ (RADIAL)

$R=35.0'$ $L=55.56'$
 $D=90^{\circ}57'40''$

**SKETCH OF DESCRIPTION
 FOR
 RIGHT OF WAY DEDICATION**



WEST 1/2 OF LOT 3
 VERO LAND COMPANY S/D
 PLAT BOOK 3, PAGE 19

NORTH LINE OF LOT 3
 VERO LAND COMPANY S/D
 PLAT BOOK 3, PAGE 19

$N89^{\circ}56'17''W$ 591.37'

11TH STREET
 $S89^{\circ}56'17''E$ 627.13'

35' R/W PER PLAT OF CASA RIO
 PLAT BOOK 1, PAGE 81

LOT 12
 BLOCK 2
 PLAT OF CASA RIO
 PLAT BOOK 1, PAGE 81

LOT 11
 BLOCK 2

70.00'
 7TH COURT

LOT 12
 BLOCK 1
 PLAT OF CASA RIO
 PLAT BOOK 1, PAGE 81

LOT 11
 BLOCK 1

7TH STREET

CENTERLINE OF 10TH STREET

$S01^{\circ}00'37''W$ 12.00'

EAST LINE OF LOT 3 AND
 ITS SOUTHERLY EXTENSION

$N01^{\circ}00'37''E$ 650.19'

POINT OF BEGINNING
 NE CORNER OF LOT 3

POINT OF COMMENCEMENT
 NE CORNER OF NE1/4, SW1/4,
 SE1/4 OF SECTION 12-33-39

WEST 663.80'

SHEET 2 OF 2 (SCALE: 1"=80')
 NOT VALID WITHOUT SHEET 1 OF 2

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