

RESOLUTION 2022-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, PROVIDING FOR THE CLOSING, ABANDONMENT, VACATION AND DISCONTINUANCE OF THE NORTH AND WEST 12-FOOT-WIDE STRIPS OF LAND RESERVED FOR A PUBLIC ROAD THAT ARE LOCATED WITHIN THE BOUNDS OF THE PROPERTY LOCATED AT 10105 INDUSTRIAL PARK BLVD WITHIN THE CITY OF SEBASTIAN LOCATED IN INDIAN RIVER COUNTY, FLORIDA.

WHEREAS, Indian River County originally received a duly executed and documented petition from Henry Fischer on June 8, 2021, 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 north and west 12-foot-wide strips of land reserved for a public road that are located within the bounds of the property located at 10105 Industrial Park Blvd within the City of Sebastian 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:

PARCEL "A"

The North 12 feet of the East 275 feet of the North 233 feet of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 20, Township 31 South, Range 39 East, Indian River County, Florida.

PARCEL "B"

The West 12 feet of the East 275 feet of the North 233 feet of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 20, Township 31 South, Range 39 East, Indian River County, Florida, less and except the North 12 feet thereof.

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.

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- 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 absorbed into the unplatted property with the address of 10105 Industrial Park Blvd located within the City of Sebastian 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:

Chairman Peter D. O’Bryan _____

Vice Chairman Joseph Earman _____

Commissioner Susan Adams _____

Commissioner Joseph E. Flescher _____

Commissioner Laura Moss _____

The Chairman thereupon declared the resolution duly passed and adopted this _____ day of _____, 2022.

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

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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 _____, 2022.

Notary Public

APPROVED AS TO LEGAL SUFFICIENCY

BY: _____
Dylan Reingold, County Attorney

APPROVED AS TO PLANNING MATTERS

BY: _____
Phillip J. Matson, AICP,
Community Development Department