

This instrument prepared by:
Bruce Barkett, Esq.
Collins, Brown, Barkett, Chtd.
756 Beachland Blvd.
Vero Beach, FL 32963

Please return to:
William K. DeBraal, Esq.
Assistant County Attorney
County Administration Building
1801 27th Street
Vero Beach, FL 32960

Property Parcel Nos. 32392600000700000001.7
32392600000700000006.0

RIGHT OF WAY DEED

THIS INDENTURE, made this 15th day of March, 2023, by and between **THE VIRGINIA W. RUSSELL FAMILY LIMITED PARTNERSHIP, a Florida limited partnership**, having its principal address at: 1392 NE Rocky Springs Church Road, Madison, FL 32340-4031, (**Grantor**), and **INDIAN RIVER COUNTY, FLORIDA, a political subdivision of the State of Florida**, the address of which is 1801 27th Street, Vero Beach, FL 32960, (**Grantee**):

WITNESSETH:

That the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the Grantee, receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain, and sell to the Grantee, and its successors in interest, for the purpose of public highway and purposes incidental thereto, the following described land, situate, lying and being in the County of Indian River, State of Florida, to-wit:

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

It is the intention of the Grantor by this instrument to convey to the said County, and its successors in interest, the land above described for use as a public highway or road and for all purposes incidental thereto.

It is expressly provided that if and when said highway or road shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the Grantor, its successors or assigns, and it or they shall have the right to immediately repossess the same.

And the said Grantor will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said Grantor, has executed this instrument the day and year first above written.

Signed, sealed, attested
and delivered in our presence:

**THE VIRGINIA W. RUSSELL FAMILY
LIMITED PARTNERSHIP, a Florida
limited partnership**


Print Name DAVETTA EYSTER

By: 
Hugh L. Russell, II, General Partner

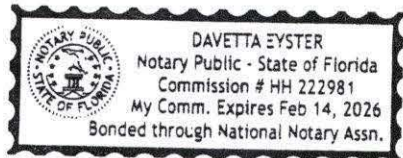

Print Name Margaret A. Smith

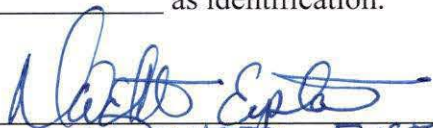
ACKNOWLEDGMENT


STATE OF FLORIDA
COUNTY OF Madison

THE FOREGOING INSTRUMENT was acknowledged before me this 15th day of March, 2023, by Hugh L. Russell, II, as General Partner of the Virginia W. Russell Family Partnership, a Florida limited partnership, on behalf of the company, who is personally known to me or has produced _____ as identification.

NOTARY SEAL




Print Name DAVETTA EYSTER
Notary Public
My Commission Expires: 2-14-2026

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

**Exhibit "A" - Legal Description & Sketch
for Right-of-Way Dedication**

**Russell Property
Indian River County, Florida**

Sheet 1 of 2

Not Valid Without All Sheets.

LEGAL DESCRIPTION

RIGHT-OF-WAY #1 - 39TH STREET

A PARCEL OF LAND WITHIN SECTION 28, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, THE SAME BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF 17TH AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF 39TH STREET AS SHOWN ON THE PLAT OF W.E. GEOFFREYS SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 32, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LANDS NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA; THENCE SOUTH 89°35'01" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF 39TH STREET, A DISTANCE OF 330.60 FEET TO AN INTERSECTION WITH THE WEST LINE OF THAT LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1130, PAGE 1844, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; THENCE NORTH 00°03'37" WEST ALONG SAID WEST LINE, A DISTANCE OF 25.00 FEET; THENCE NORTH 89°35'01" EAST AND PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE OF 39TH STREET, A DISTANCE OF 330.61 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1130, PAGE 1844; THENCE SOUTH 00°01'41" EAST ALONG SAID EAST LINE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 8285.07 SQUARE FEET OR 0.19 ACRES, MORE OR LESS.

RIGHT-OF-WAY #2 - 17TH AVENUE

A PARCEL OF LAND WITHIN SECTION 26, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 32 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA, THE SAME BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF 17TH AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF 39TH STREET AS SHOWN ON THE PLAT OF W.E. GEOFFREYS SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 32, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LANDS NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA; THENCE SOUTH 00°01'41" EAST ALONG SAID EAST RIGHT-OF-WAY LINE OF 17TH AVENUE, A DISTANCE OF 307.11 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THAT LAND DESCRIBED IN OFFICIAL RECORDS BOOK 3256, PAGE 1825, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EAST RIGHT-OF-WAY SOUTH 00°01'41" WEST, A DISTANCE OF 306.17 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 3256, PAGE 1825; THENCE NORTH 89°58'44" EAST ALONG SAID SOUTH LINE A DISTANCE OF 25.00 FEET; THENCE NORTH 00°01'41" WEST AND PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE OF 17TH AVENUE, A DISTANCE OF 306.14 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 3256, PAGE 1825; THENCE NORTH 90°00'00" WEST ALONG SAID NORTH LINE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 7653.98 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

LEGEND

R/W	RIGHT-OF-WAY
NO.	NUMBER
R	RANGE
T	TOWNSHIP
P.B.	PLAT BOOK
PG.	PAGE
N	NORTH
S	SOUTH
E	EAST
W	WEST
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE

SURVEYORS NOTES

- 1) THE BEARING BASIS IS THE WEST RIGHT-OF-WAY LINE OF 17TH AVENUE, SAID BEARING BEING S00°01'41"E.
- 2) THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
- 3) ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.
- 4) THIS SKETCH MEETS THE STANDARD PRACTICES FOR SURVEYING AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

REVISED 3/14/23

SKETCH OF LEGAL DESCRIPTION "This is NOT a Boundary Survey"	Drawn by: BMM	Checked by: DMT	File name 6190.TOPO	Date 2/21/2023	Scale 1"=100'	Drawing Name 6190-Proprietary.dwg
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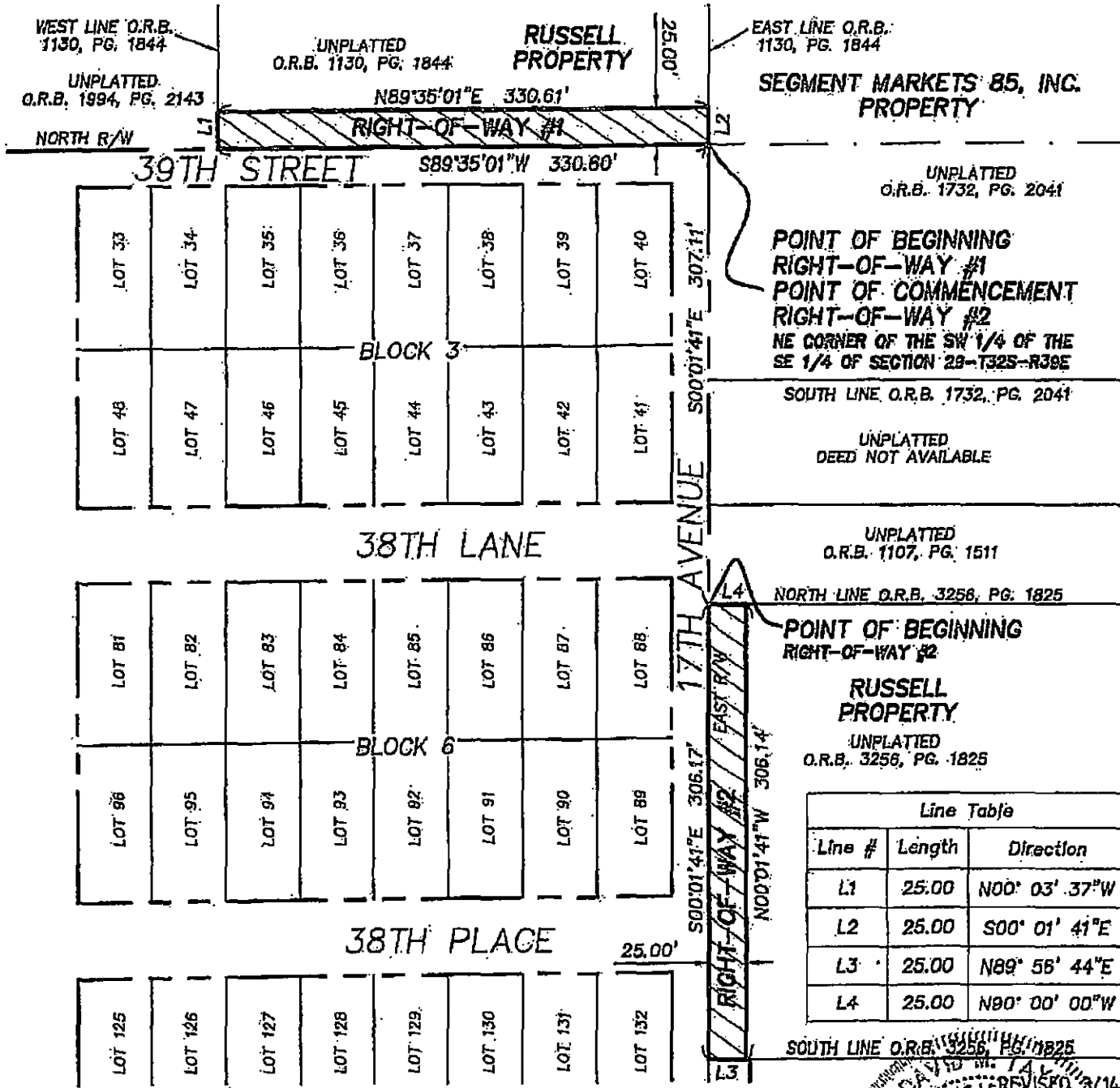
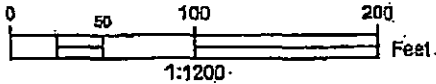
Masteller, Moler & Taylor, Inc.
PROFESSIONAL SURVEYORS AND MAPPERS
LAND SURVEYING BUSINESS #4644

1655 27th Street, Suite 2 Vero Beach, Florida 32960
Phone: (772) 564-8050 Fax: (772) 794-0847

DAVID TAYLOR, P.S.M. 5243

Exhibit "A" - Legal Description & Sketch
Right-of-Way Dedication
Russell Property

Indian River County, Florida
 Sheet 2 of 2 - Not Valid Without All Sheets



Line Table		
Line #	Length	Direction
L1	25.00	N00° 03' 37"W
L2	25.00	S00° 01' 41"E
L3	25.00	N89° 56' 44"E
L4	25.00	N90° 00' 00"W

SKETCH OF LEGAL DESCRIPTION
 "This is NOT a Boundary Survey"

Drawn by: BMM Checked by: DMT File name: 6190.TOPD Date: 2/21/2023 Scale: 1"=100.00'S Drawing Name: 6190-pro-widwg



Masteller, Moler & Taylor, Inc.
 PROFESSIONAL SURVEYORS AND MAPPERS
 LAND SURVEYING BUSINESS: #4644
 1655 27th Street, Suite 2, Vero Beach, Florida 32960
 Phone: (772) 584-8050, Fax: (772) 794-0647

DAVID TAYLOR P.S.M. 5245
 (SEAL)