

**PREPARED BY AND AFTER
RECORDING RETURN TO:**

Lawton Whiteman Lutz
Attention: Jason Whiteman, Esq.
102 NE 1st Avenue, Suite 200
Delray Beach, Florida 33444

Parcel ID No. 29-31-39-00000-5000-00076.0
Cross-Reference: Official Records Book 1169, Page 1520

TERMINATION AND RELEASE OF EASEMENT

This **TERMINATION AND RELEASE OF EASEMENT** (this “**Termination**”) is made and entered into as of this ____ day of _____, 2024 by **INDIAN RIVER COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 1801 27th Street, Vero Beach, Florida 32960 (“**Indian River County**”).

WITNESSETH:

WHEREAS, Jackson Bros Groves, Inc., a Florida corporation, executed that certain easement in favor of Indian River County, dated August 29, 1997, recorded on September 5, 1997 under Instrument Number 1016067 in Official Records Book 1169, Page 1520, of the Public Records of Indian River County, Florida (the “**Easement**”), burdening certain real property located in Indian River County, Florida, described as Parcel Identification Number 29-31-39-00000-5000-00076.0 in the Easement and more particularly described on **Exhibit “A”** attached hereto (the “**Burdened Property**”);

WHEREAS, the Easement provided Indian River County with access to the Burdened Property for the purposes of cleaning, re-grading, and maintaining the existing ditch.

WHEREAS, Indian River County has ceased to use and has abandoned the easement thereby granted; and

WHEREAS, Indian River County agrees to terminate the Easement and release its rights, privileges, and easement over the Burdened Property.

NOW, THEREFORE, in consideration of the sum of Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Indian River County agrees as follows:

1. **Recitals.** The foregoing recitals are true and correct and are incorporated herein by reference as if fully set forth herein.

2. **Release and Termination of Easement.** Effective as of the recording of this Termination, Indian River County hereby forever releases, terminates and abandons its rights under the Easement and to the easement rights over the Burdened Property described therein.

3. **Severability.** All provisions of this Termination are intended to be severable. If any provision of this Termination is deemed void or unenforceable by any court of competent jurisdiction, then the remaining provisions shall continue in full force and effect.

4. **Successors and Assigns.** The terms and conditions of this Termination shall apply to, bind and inure to the benefit of the present owner of the Burdened Property, **CQCC Investments, Inc.**, a Florida corporation, and its successors in interest, successors in title, and assigns of the Burdened Property.

5. **Recording.** This Termination shall be recorded in the Public Records of Indian River County, Florida where the original Easement was recorded.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, this Termination has been executed as of the date first above written.

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

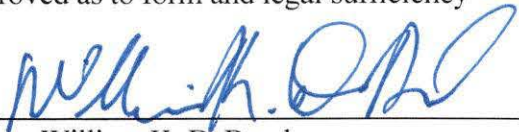
By: _____
Susan Adams, Chairman

BCC Approved: _____

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

By: _____
Deputy Clerk

Approved as to form and legal sufficiency

By:  _____
William K. DeBraal
County Attorney

Approved:

By: _____
John A. Titkanich, Jr.
County Administrator

EXHIBIT "A"
LEGAL DESCRIPTION OF THE BURDENED PROPERTY

Parcel ID No. 29-31-39-00000-5000-00076.0

THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA; LESS AND EXCEPT THOSE PARCELS CONVEYED BY DEEDS RECORDED IN DEED BOOK 4, PAGE 349; DEED BOOK 4, PAGE 364; DEED BOOK 4, PAGE 371; DEED BOOK 4, PAGE 405; DEED BOOK 4, PAGE 442; DEED BOOK 13, PAGE 396; DEED BOOK 13, PAGE 517; DEED BOOK 14, PAGE 27; DEED BOOK 14 PAGE 330; DEED BOOK 23, PAGE 120; DEED BOOK 23, PAGE 121; DEED BOOK 23, PAGE 588; DEED BOOK 39, PAGE 329; OFFICIAL RECORDS BOOK 217, PAGE 225; OFFICIAL RECORDS BOOK 241, PAGE 198; OFFICIAL RECORDS BOOK 241, PAGE 199; OFFICIAL RECORDS BOOK 252, PAGE 509 AND OFFICIAL RECORDS BOOK 688, PAGE 1733; LESS AND EXCEPT: E 25.00 FEET FOR ROAD RIGHT OF WAY AS RECORDED IN OFFICIAL RECORDS BOOK 413, PAGE 751, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; LESS AND EXCEPT PARCELS 2 AND 3, OFFICIAL RECORDS BOOK 3592, PAGE 376, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; LESS AND EXCEPT OFFICIAL RECORDS BOOK 2891, PAGE 744, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; LESS AND EXCEPT OFFICIAL RECORDS BOOK 2286, PAGE 2380, OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA; AND ALSO LESS AND EXCEPT THE SOUTH 210 FEET OF THE EAST 210 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29.

A.K.A. DESCRIPTION BY SURVEYOR

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA; AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29, RUN N89°28'06"W, ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, FOR A DISTANCE OF 330.00 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND:

FROM THE POINT OF BEGINNING, CONTINUE N89°28'06"W, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.00 FEET TO A POINT; THENCE DEPART SAID SOUTH LINE AND RUN N00°37'25"W FOR A DISTANCE OF 264.06 FEET TO A POINT; THENCE RUN N89°28'06"W FOR A DISTANCE OF 82.50 FEET TO A POINT; THENCE RUN S00°37'25"E FOR A DISTANCE OF 264.05 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE RUN S89°28'06"W, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 397.95 FEET TO A POINT; THENCE DEPART SAID SOUTH LINE AND RUN N00°49'06"W FOR A DISTANCE OF 1349.58 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE RUN S89°24'42"E, ALONG SAID NORTH LINE, FOR A DISTANCE OF 447.54 FEET TO A POINT; THENCE DEPART SAID NORTH LINE AND RUN S00°37'25"E FOR A DISTANCE OF 200.05 FEET TO A POINT; THENCE RUN S89°24'42"E FOR A DISTANCE OF 173.20 FEET TO A POINT; THENCE RUN N00°37'25"W FOR A DISTANCE OF 200.05 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE RUN S89°24'42"E, ALONG SAID NORTH LINE, FOR A DISTANCE OF 165.00 FEET TO A POINT; THENCE DEPART SAID NORTH LINE AND RUN S00°37'25"E FOR A DISTANCE OF 400.60 FEET TO A POINT; THENCE RUN N89°28'06"W FOR A DISTANCE OF 165.00 FEET TO A POINT; THENCE RUN N00°37'25"W FOR A DISTANCE OF 168.15 FEET TO A POINT; THENCE RUN N89°28'06"W FOR A DISTANCE OF 130.04 FEET TO A POINT; THENCE RUN S00°37'25"E FOR A DISTANCE OF 60.01 FEET TO A POINT; THENCE RUN N89°28'06"W FOR A DISTANCE OF 34.96 FEET TO A POINT; THENCE RUN S00°37'25"E FOR A DISTANCE OF 264.05 FEET TO A POINT; THENCE RUN N89°28'06"W FOR A DISTANCE OF 165.00 FEET TO A POINT; THENCE RUN S00°37'25"E FOR A DISTANCE OF 264.02 FEET TO A POINT; THENCE RUN S89°28'06"E FOR A DISTANCE OF 165.00 FEET TO A POINT; THENCE RUN S00°37'25"E FOR A DISTANCE OF 50.01 FEET TO A POINT; THENCE RUN S89°28'06"E FOR A DISTANCE OF 165.00 FEET TO A POINT; THENCE RUN S00°37'25"E FOR A DISTANCE OF 478.10 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA; AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29, RUN N00°49'06"W, ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, FOR A DISTANCE OF 528.11 FEET TO A POINT; THENCE DEPART SAID WEST LINE AND RUN S89°28'06"E, FOR A DISTANCE OF 35.01 FEET TO THE POINT ON THE EAST RIGHT-OF-WAY LINE OF 66TH AVENUE AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

FROM THE POINT OF BEGINNING RUN N00°49'06"W, ALONG SAID EAST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 264.07 FEET; THENCE DEPART SAID EAST RIGHT-OF-WAY LINE AND RUN S89°28'06"E FOR A DISTANCE OF 164.05 FEET TO A POINT; THENCE RUN S00°49'06"E FOR A DISTANCE OF 264.07 FEET TO A POINT; THENCE RUN N89°28'06"W FOR A DISTANCE OF 164.05 FEET TO THE POINT OF BEGINNING.

AND

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 31 SOUTH, RANGE 39 EAST, INDIAN RIVER COUNTY, FLORIDA; AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29, RUN S89°24'42"E, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, FOR A DISTANCE OF 35.01 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 66TH AVENUE AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

FROM SAID POINT OF BEGINNING CONTINUE S89°24'42"E, ALONG SAID NORTH LINE, FOR A DISTANCE OF 164.05 FEET TO A POINT; THENCE DEPART SAID NORTH LINE AND RUN S00°49'06"E FOR A DISTANCE OF 293.49 FEET TO A POINT; THENCE RUN N89°28'06"W FOR A DISTANCE OF 164.05 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 66TH AVENUE; THENCE RUN N00°49'06"W, ALONG SAID WEST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 293.65 FEET TO THE POINT OF BEGINNING.