

4-A)

RESOLUTION NO. 2016- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, DETERMINING THAT CERTAIN CITY-OWNED REAL PROPERTY COMPRISING 1.64 ACRES ± LOCATED AT THE NORTHEAST CORNER OF 19TH PLACE (STATE ROAD 60 EASTBOUND) AND 12TH COURT IN THE CITY OF VERO BEACH, COMMONLY REFERRED TO AS THE “OLD DIESEL POWER PLANT,” WITH AN ADDRESS OF 1139 19TH PLACE, IS NO LONGER NEEDED BY THE CITY AND AUTHORIZING THE CITY MANAGER TO OFFER SAID REAL PROPERTY FOR SALE; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to section 2-372 of the Code of Ordinances of the City of Vero Beach (“Code”) the City Council may, after a public hearing, make a determination that real property owned by the City is no longer needed and upon such a determination such real property may be sold by bid, auction with reserve, or negotiated sale or exchange, subject where appropriate, to a minimum price established through a M.A.I. appraisal that certifies the market value of such real property; and

WHEREAS, the City Council has been requested to make such a determination as to that certain City-owned property comprising 1.64 ± acres lying at the northeast corner of 19th Place (State Road 60 Eastbound) and 12th Court, in the City of Vero Beach, commonly referred to as the Old Diesel Power Plant, with an address of 1139 19th Place, and to authorize disposition of said real property pursuant to Code section 2-372; and

WHEREAS, notice of this Resolution regarding the sale, exchange, or auction of the subject real property by the City has been published pursuant to Code section 2-372,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, AS FOLLOWS:

Section 1 — Adoption of “Whereas” clauses.

The foregoing “Whereas” clauses are hereby adopted and incorporated herein.

Section 2 — Determination that real property not needed.

The City Council, after a public hearing on this matter, hereby finds and determines that the certain City-owned real property comprising 1.64 ± acres lying at the northeast corner of 19th Place (State Road 60 Eastbound) and 12th Court in the City of Vero Beach, commonly referred to as the Old Diesel Power Plant, with an address of 1139 19th Court, and as more fully described and depicted in Exhibit “A,” attached hereto and incorporated herein, is no longer needed by the City of Vero Beach.

Section 3 — Sale and disposition.

The City Manager is hereby authorized to offer the subject real property for sale pursuant to Code section 2-372 by bid, auction with reserve, or negotiated sale, subject to a minimum price established through a M.A.I. appraisal that certifies the market value of such real property, and sale of the property being subject to final City Council approval.

Section 4 — Conflict and severability.

The provisions of this Resolution shall control over those provisions of previously adopted resolutions in conflict herewith. If any provision of this Resolution is held to be invalid, unconstitutional, or unenforceable for any reason by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions.

Section 5 – Effective Date.

This Resolution shall become effective upon adoption by the City Council.

This Resolution was read for the first time on the 1st of December 2015 and was advertised on the _____ day of _____ 2015 and on the _____ day of

_____ 2015 for a public hearing to be held on the 19th day of January 2016, at the conclusion of which hearing it was moved for adoption by Councilmember _____, seconded by Councilmember _____, and adopted by the following vote:

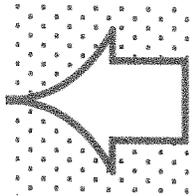
Mayor Jay Kramer _____
Vice-Mayor Randolph B. Old _____
Councilmember Pilar E. Turner _____
Councilmember Richard G. Winger _____
Councilmember Harry Howle, III _____

ATTEST:

CITY OF VERO BEACH, FLORIDA

Tammy K. Vock
City Clerk

Jay Kramer
Mayor



[SEAL]

Approved as to form and legal sufficiency:

Approved as conforming to municipal policy:

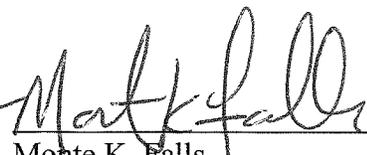


Wayne R. Coment
City Attorney



James R. O'Connor
City Manager

Approved as to technical requirements:



Monte K. Falls
Public Works Director

Legal Description- Old Diesel Power Plant

Situated in the State of Florida, County of Indian River, City of Vero Beach and being a part of Edgewood Addition to Vero Subdivision as recorded in Plat Book 2, Page 28 of the public records of St. Lucie County, and also being a part of R. E. Bullington's Subdivision as recorded in Plat Book 2, Page 5 of the public records of St. Lucie County, said lands now lying in Indian River County, and being more particularly bounded and described as follows:

Lots 1-7, inclusive, of Block 12 of said Edgewood Addition to Vero Subdivision;

Together with:

The south 210 feet of the north 425 feet of Block 5 of said R.E. Bullington's Subdivision, lying west of the Florida East Coast Railway;

Together with:

All that part of a 25 foot unnamed and unnumbered right of way being within Block 12 of said Edgewood Addition, lying east of the east right of way of Pine Street, as shown on said plat and now known as 12th court;

Also including:

That part of the old existing right of way for State Road 60 as conveyed to the City of Vero Beach in Official Record Book 1126 at Pages 2015 - 2019 of the public records of Indian River County and being more particularly bounded and described as follows:

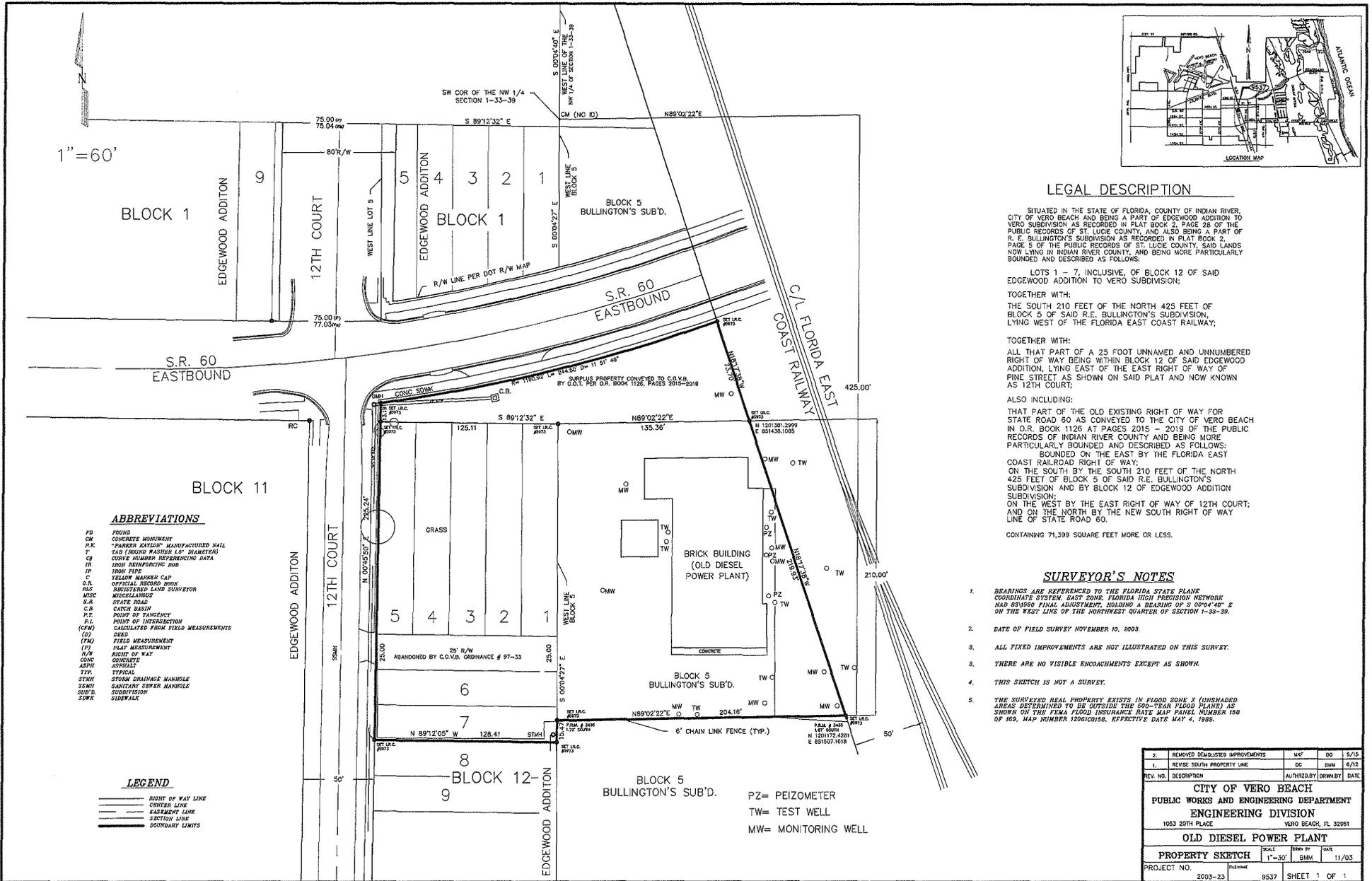
Bounded on the east by the Florida East Coast Railroad right of way;

On the south by the south 210 feet of the north 425 feet of block 5 of said R.E. Bullington's Subdivision and by Block 12 of Edgewood Addition Subdivision;

On the west by the east right of way of 12th Court;

And on the north by the new south right of way line of State Road 60.

Containing 71,399 square feet or 1.64 acres more or less.



LEGAL DESCRIPTION

SITUATED IN THE STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH AND BEING A PART OF EDGEWOOD ADDITION TO VERO SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 28 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, AND ALSO BEING A PART OF R. E. BULLINGTON'S SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 5 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, SAID LANDS NOW LYING IN INDIAN RIVER COUNTY, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

LOTS 1 - 7, INCLUSIVE, OF BLOCK 12 OF SAID EDGEWOOD ADDITION TO VERO SUBDIVISION;
TOGETHER WITH:
THE SOUTH 210 FEET OF THE NORTH 425 FEET OF BLOCK 5 OF SAID R.E. BULLINGTON'S SUBDIVISION, LYING WEST OF THE FLORIDA EAST COAST RAILWAY;

TOGETHER WITH:
ALL THAT PART OF A 25 FOOT UNNAMED AND UNNUMBERED RIGHT OF WAY BEING WITHIN BLOCK 12 OF SAID EDGEWOOD ADDITION, LYING EAST OF THE EAST RIGHT OF WAY OF PINE STREET AS SHOWN ON SAID PLAT AND NOW KNOWN AS 12TH COURT;

ALSO INCLUDING:
THAT PART OF THE OLD EXISTING RIGHT OF WAY FOR STATE ROAD 60 AS CONVEYED TO THE CITY OF VERO BEACH IN O.R. BOOK 1126 AT PAGES 2015 - 2019 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BOUNDED ON THE EAST BY THE FLORIDA EAST COAST RAILROAD RIGHT OF WAY;
ON THE SOUTH BY THE SOUTH 210 FEET OF THE NORTH 425 FEET OF BLOCK 5 OF SAID R.E. BULLINGTON'S SUBDIVISION AND BY BLOCK 12 OF EDGEWOOD ADDITION SUBDIVISION;
ON THE WEST BY THE EAST RIGHT OF WAY OF 12TH COURT; AND ON THE NORTH BY THE NEW SOUTH RIGHT OF WAY LINE OF STATE ROAD 60.

CONTAINING 71,399 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES

- BEARINGS ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, FLORIDA HIGH PRECISION NETWORK HAD SURVED FINAL ADJUSTMENT, HAVING A BEARING OF S 09°04'40" E ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 1-33-39.
- DATE OF FIELD SURVEY NOVEMBER 10, 2003.
- ALL FIXED IMPROVEMENTS ARE NOT ILLUSTRATED ON THIS SURVEY.
- THERE ARE NO VISIBLE ENCROACHMENTS EXCEPT AS SHOWN.
- THIS SKETCH IS NOT A SURVEY.
- THE SURVEYED REAL PROPERTY EXISTS IN FLOOD ZONE X (UNSHADED AREAS DETERMINED TO BE OUTSIDE THE 600-YEAR FLOOD PLAIN) AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP PANEL NUMBER 158 OF 165, MAP NUMBER 1206010166, EFFECTIVE DATE MAY 4, 1998.

ABBREVIATIONS

- PD FOUND
- CM CONCRETE MONUMENT
- P.K. "PARKER KAYLON" MANUFACTURED NAIL
- TAB (ROUND WASHEN 1/2" DIAMETERS)
- C# CURVE NUMBER REFERENCING DATA
- IR IRON REINFORCING ROD
- IP IRON PIPE
- Y YELLOW MARKER CAP
- OR ORIGINAL RECORD BOOK
- RLS REGISTERED LAND SURVEYOR
- MCS MISC.
- S.R. STATE ROAD
- C.B. CATCH BASIN
- P.T. POINT OF TANGENCY
- P.I. POINT OF INTERSECTION
- (C/M) CALCULATED FROM FIELD MEASUREMENTS
- (D) DEED
- (T/M) FIELD MEASUREMENT
- (P) PLAT MEASUREMENT
- R/W RIGHT OF WAY
- CONC CONCRETE
- N/W NYPAL
- ASPH ASPHALT
- TYP TYPICAL
- STM STORM DRAINAGE MANHOLE
- SMW SANITARY COVER MANHOLE
- SUB'D SUBDIVISION
- SPWK SIDEWALK

LEGEND

- RIGHT OF WAY LINE
- CENTER LINE
- EASEMENT LINE
- SECTION LINE
- BOUNDARY LIMITS

- PZ= PEIZOMETER
- TW= TEST WELL
- MW= MONITORING WELL

2.	REMOVED UNDESIRABLE IMPROVEMENTS	WCF	DD	5/15
1.	REVISE SOUTH PROPERTY LINE	DC	BM	6/12
REV. NO.	DESCRIPTION	AUTH/REV. BY	DATE	
CITY OF VERO BEACH				
PUBLIC WORKS AND ENGINEERING DEPARTMENT				
ENGINEERING DIVISION				
1053 20TH PLACE		VERO BEACH, FL 32981		
OLD DIESEL POWER PLANT				
PROPERTY SKETCH		SCALE	DRAWN BY	DATE
		1"=30'	BM	11/03
PROJECT NO.	2003-23	SHEET	9537	SHEET 1 OF 1