

4-A)



DEPARTMENTAL CORRESPONDENCE

TO: James R. O'Connor, City Manager
DEPT: City Manager

VIA: Monte K. Falls, PE, Director
DEPT: Public Works

FROM: David Gay, PSM, Chief Surveyor *DG*
DEPT: Public Works

DATE: March 21, 2016

RE: **Abandonment of Right-of-Way Application #2016-A/ROW-163
Portion of 29th Street, Carissa Drive and Park "L" (Median)
Plat No. 3, Royal Park Subdivision**

Background:

On February 9, 2016, we received an application for abandonment of the referenced right of way. The Vero Beach Country Club has been using and maintaining a portion of the right of way for years. Further, reconfiguration of this portion of the right of way will allow one owner, Eric Hall, to increase the buildable area of his lot. The three affected parcels have agreed on how the right of way is to be split and have prepared descriptions for each parcel. The City will retain a 60' right of way consistent with the existing rights of way on Carissa Drive and Tropical Avenue.

The abandonment application was routed to all utility providers, Fire Prevention, and City departments. All responses were favorable of the request.

Recommendation:

- Place this item on the April 5, 2016 City Council agenda;
- Approve the abandonment of that portion of 29th Street, Carissa Drive and Park "L" (Median) lying within Plat No. 3, Royal Park Subdivision.

Analysis:

Strengths: This abandonment will relieve the City of future maintenance of that portion of right of way.

Weaknesses: None. The City has no future needs for this portion of right of way.

Opportunities: Abandoning this right of way will increase the buildable area of the affected lots.

Threats: None.

Attachments

DRG:MKF/ntn

This instrument prepared by and return to:
City Attorney
City of Vero Beach
P.O. Box 1389
Vero Beach, FL 32961-1389

ORDINANCE NO. 2016-_____
(Application No. 2016-A/ROW-163)

AN ORDINANCE OF THE CITY OF VERO BEACH, FLORIDA, ABANDONING CERTAIN PORTIONS OF 29TH STREET, CARISSA DRIVE, AND PARK “L” (MEDIAN), LYING WITHIN PLAT NO. 3, ROYAL PARK SUBDIVISION, AS RECORDED IN PLAT BOOK 4 AT PAGE 88 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LANDS NOW LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Vero Beach is authorized, pursuant to section 2-373 of the Code of the City of Vero Beach, to abandon city-held interests in real property by the City Council adopting an ordinance declaring such interests abandoned; and

WHEREAS, abandonment has been requested as to interests the City has or may have in the public right-of-way identified as certain portions of 29th street, Carissa Drive, and Park “L” (Median), lying within Plat No. 3, Royal Park Subdivision, as recorded in Plat Book 4 at Page 88 of the Public Records of St. Lucie County, Florida, said lands now lying and being in Indian River County, Florida; and

WHEREAS, the Public Works Department of the City has advised and the City Council has determined that said right-of-way is no longer needed by the City or other interested parties for vehicular right-of-way or other municipal uses except as otherwise provided herein below,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, THAT:

Section 1 – Adoption of “WHEREAS” clauses.

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

Section 2 – Abandonment of Right-of-Way.

Except as provided in Section 3, the City of Vero Beach does hereby declare abandoned its right, title and interest in the public right-of-way identified as those certain portions of 29th street, Carissa Drive, and Park “L” (Median), lying within Plat No. 3, Royal Park Subdivision, as recorded in Plat Book 4 at Page 88 of the Public Records of St. Lucie County, Florida, said

lands now lying and being in Indian River County, Florida, as more fully described and depicted in “**Exhibit A**” attached hereto and incorporated herein.

Section 3 – Conflict and Severability.

In the event any portion of this Ordinance conflicts with any provision of the Code or any other ordinance or resolution of the City of Vero Beach on the subject matter of this Ordinance, the provisions of this Ordinance shall apply and supersede. If any provision of this Ordinance 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 of this Ordinance, which shall be deemed separate, distinct, and independent provisions enforceable to the fullest extent possible.

Section 4 – Effective Date.

This Ordinance shall become effective upon final adoption.

Section 5 – Codification.

The provisions of this Ordinance, being of limited scope and affect, shall not be codified in the Code of the City of Vero Beach.

This Ordinance was read for the first time on the 19th day of April 2016, and was advertised on the ____ day of _____ 2016, as being scheduled for a public hearing to be held on the ____ day of _____ 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]

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this ____ day of _____ 2016 on behalf of the City of Vero Beach, Florida by Jay Kramer, as Mayor, and attested by Tammy K. Vock, as City Clerk, of the City of Vero Beach, Florida. Both are personally known to me.

NOTARY PUBLIC

Commission No.:

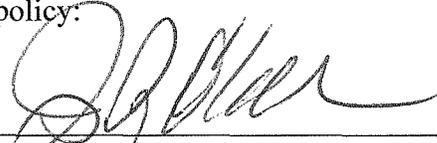
My Commission Expires:

Approved as to form and legal
sufficiency:



Wayne R. Coment
City Attorney

Approved as conforming to municipal
policy:



James R. O'Connor
City Manager

Approved as to technical requirements:



Monte K. Falls
Public Works Director

EXHIBIT "A"
PROPERTY DESCRIPTION
ABANDONMENT OF RIGHT-OF-WAY #2016-A/ROW-0163
PORTIONS OF 29TH STREET, CARISSA DRIVE AND PARK "L" (MEDIAN)
PLAT NO. 3 OF ROYAL PARK

Situated in the State of Florida, County of Indian River, City of Vero Beach, and being a part of Plat No. 3 of Royal Park as recorded in Plat Book 4, Page 88 of the Public Records of Saint Lucie County, Florida, said lands now lying and being in Indian River County, Florida, and being more particularly bounded and described as follows:

Beginning at the southwest corner of Lot 2, Block 12, of Plat No.3 Royal Park and being a point on a curve concave to the northwest;

Thence northeasterly along said curve of the south line of said Block 12 and also being the northerly right of way line of said 29th Street, having a radius of 273.30 feet, a central angle of 26°58'21", subtended by a chord bearing of North 57°07'15" East, and a chord distance of 127.47 feet for an arc distance of 128.66 feet to a point of reverse curvature of a curve concave to the southeast;

Thence continue northeasterly along said curve on the south line of said Block 12, having a radius of 284.00 feet, a central angle of 18°14'41", subtended by a chord bearing of North 52°45'24" East and chord distance of 90.05 feet for an arc distance of 90.43 feet to the northeast corner of said Lot 1, Block 12, and a point of intersection with the northwesterly projection of the west boundary line of Tract "J", Plat No. 3 of Royal Park;

Thence South 20°04'19" East along said projection line of the west line of Tract "J" for a distance of 171.80 feet to a point on a curve concave to the southwest;

Thence southeasterly along said curve having a radius of 1802.27 feet, a central angle of 01°24'06", subtended by a chord bearing of South 19°34'45" east and chord distance of 44.09 feet for an arc distance of 44.09 feet to a point on a curve concave to the southwest, said point also being on the north and east right of way of Carissa Drive;

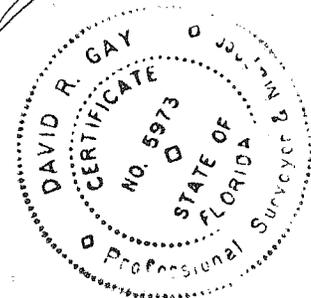
Thence northwesterly along a curve, being the north right of way line of the proposed 60 feet wide remaining portion of the Carissa Drive right of way, having a radius of 157.75 feet, a central angle of 91°15'13", subtended by a chord bearing of North 65°23'01" West and chord distance of 225.52 feet for an arc distance of 251.24 feet to a point of non tangency;

Thence South 72°44'21" West for a distance of 49.69 feet to the Point of Beginning;

The above described abandonment of road right of way and Park "L" (median) containing 10,749.38 square feet or 0.25 acres more or less.



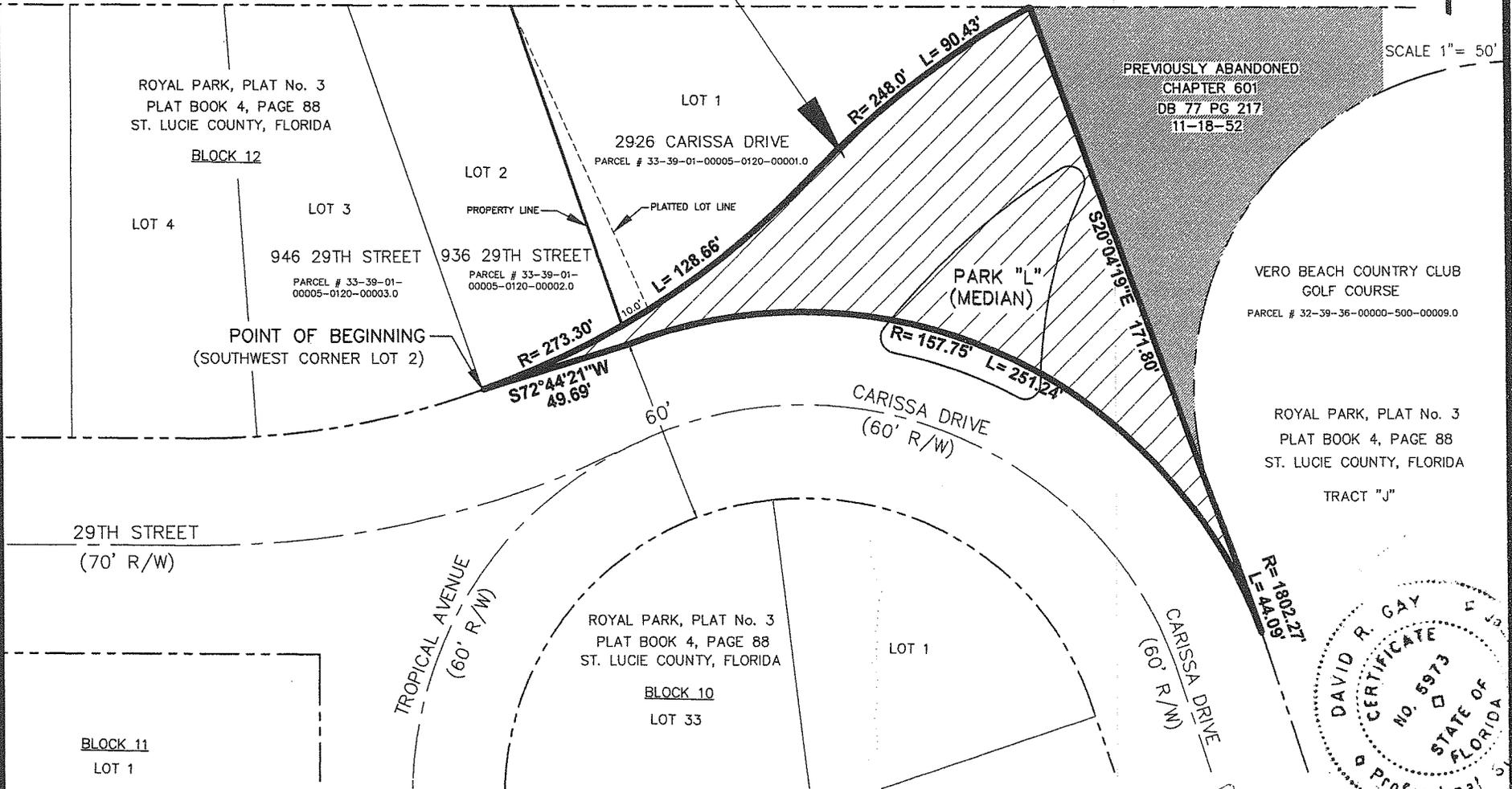
David R. Gay, PSM #5973



SUBJECT ABANDONMENT
(PORTION OF 29TH ST, CARISSA DR, & PARK "L")

INDIAN RIVER FARMS
WATER CONTROL DISTRICT
MAIN CANAL
(300' R/W)

SCALE 1" = 50'



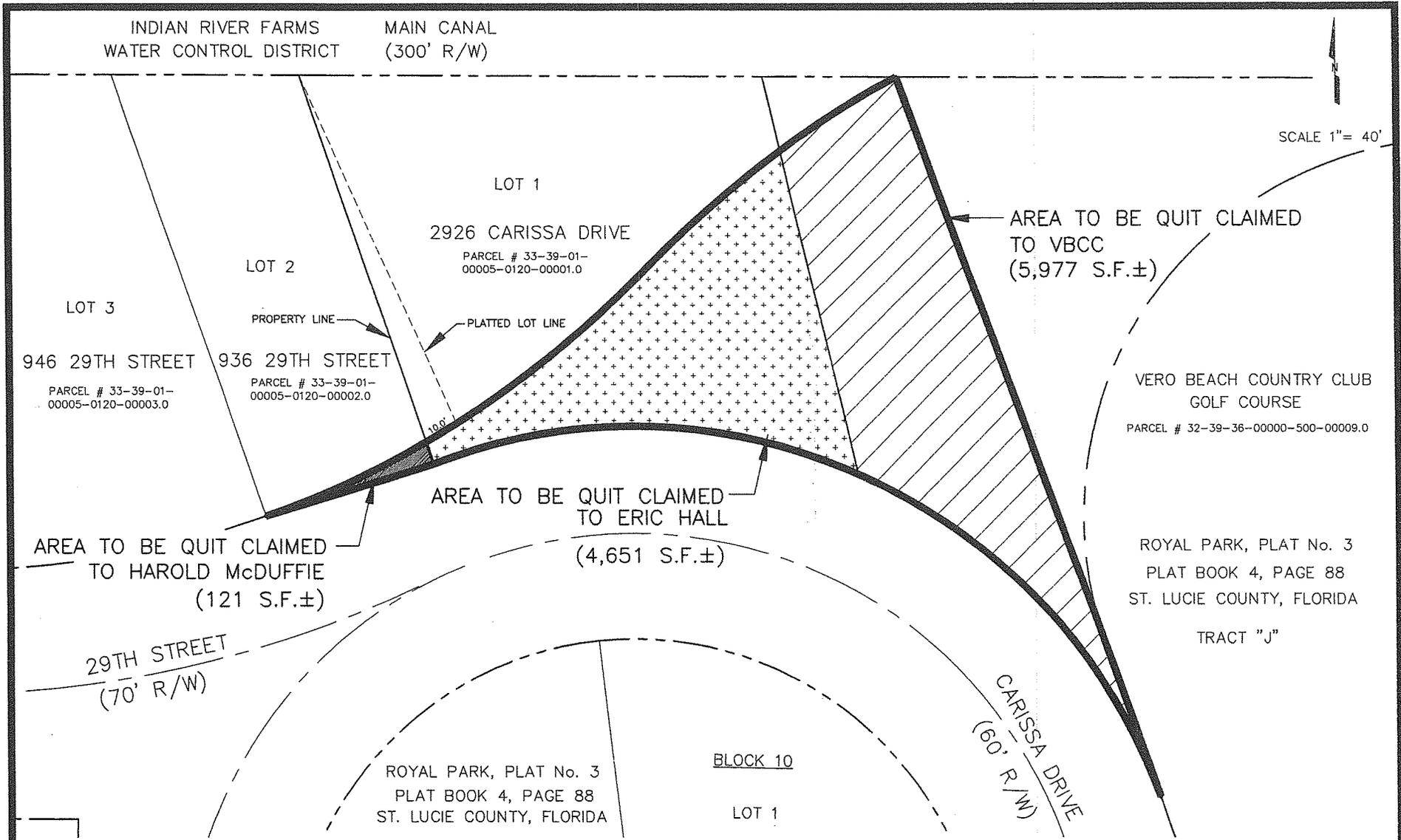
NOTE: ABANDONMENT DESCRIPTION IS BASED UPON A SURVEY SUPPLIED BY
CARTER ASSOCIATES, INC., DRAWING # 20104-A, DATED 01-13-16.

David R. Gay
DAVID GAY, PSM #5973 DATE 2/17/16

THIS SKETCH IS NOT A SURVEY

SHEET 2 OF 2

CITY OF VERO BEACH DEPARTMENT OF PUBLIC WORKS SURVEY DIVISION	SKETCH OF PROPERTY DESCRIPTION ABANDONMENT OF RIGHT OF WAY ROYAL PARK, PLAT No.3	EXHIBIT "A"		REV. NO.	AUTHRZD. BY
		CITY PROJECT NO. 2016-AROW-163		DRWN. BY	DATE
		DATE 02/2016	DRWN BY DG	CHKD BY MKF	DESCRIPTION



NOTE: PROPOSED QUIT CLAIM AREAS ARE BASED UPON A SURVEY SUPPLIED BY CARTER ASSOCIATES, INC., DRAWING # 20104-A1 TO A3, DATED 01-13-16.

THIS SKETCH IS NOT A SURVEY

CITY OF VERO BEACH DEPARTMENT OF PUBLIC WORKS SURVEY DIVISION	SKETCH OF PROPERTY DESCRIPTION ABANDONMENT OF RIGHT OF WAY ROYAL PARK, PLAT No.3	EXHIBIT "A-1"		REV. NO.	AUTHRZD. BY
		CITY PROJECT NO. 2016-AROW-163		DRWN. BY	DATE
		DATE 02/2016	DRWN BY DG	CHKD BY MKF	DESCRIPTION

CITY OF VERO BEACH

**ABANDONMENT OF RIGHT-OF-WAY
REVIEW SUMMARY**

Application No. **2016-A/ROW-0163**
 Applicant **Vero Beach Country Club; Eric & Janna Hall; Harold & Janice McDuffie**
 Property Address: **Carissa Drive & 29th Street**
 Subdivision: **Royal Park Plat No. 3**
 Parcel No. **33-39-01-00005-0120-00001.0; 33-39-01-00005-0120-00002.0 and 32-39-36-00000-5000-00009.0**
 Related Project No.

Application Reviewed By:

	<u>Do Not Object</u>	<u>No Objection with Conditions</u>	<u>Object</u>
COVB Electrical Engineering	X		
COVB Water & Sewer	X		
COVB Planning & Development	X		
COVB Police	X		
IRC Fire District	X		
AT&T	X		
Comcast Cable	X		
Florida City Gas	X		

Date: March 14, 2016

The City of Vero Beach Public Works Department has received a request to abandon the right-of-way adjacent to the referenced property. A property description and sketch is attached for your information.

Description of requested right-of-way abandonment:

Portion of 29th Street, Carissa Drive and Park L (Median), Plat No. 3, Royal Park Subdivision.

The Department of Public Works has reviewed the responses and comments received from the other reviewing departments/agencies and we recommend the following action:

DO NOT OBJECT
 DO NOT OBJECT WITH CONDITIONS
 OBJECT

X

Our comments and/or conditions are as follows:

Public Works

Printed Name:

David R. Gay

 David R. Gay, PSM, Chief Surveyor

Date of Review:

_____ *3/14/16* _____



**CITY OF VERO BEACH
DEPARTMENT OF PUBLIC WORKS
(772) 978-4870
(772) 978-4879 FAX**

To: COVB Electrical Engineering
COVB Water & Sewer
COVB Planning & Development
COVB Police

X
X
X
X

IRC Fire District
AT&T
Comcast Cable
Florida City Gas

X
X
X
X

From: David R. Gay, PSM
Chief Surveyor

Date: February 17, 2016

RE: **ABANDONMENT OF RIGHT-OF-WAY REQUEST**

Applicant: **Vero Beach Country Club; Eric & Janna Hall; Harold & Janice McDuffie**
 Property Address: **Carissa Drive & 29th Street**
 Subdivision: **Royal Park Plat No. 3**
 Parcel No. **33-39-01-00005-0120-00001.0; 33-39-01-00005-0120-00002.0 and 32-39-36-00000-5000-00009.0**
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Portion of 29th Street, Carissa Drive and Park L (Median), Plat No. 3, Royal Park Subdivision.

Please indicate below whether your department/agency approves or disapproves of this action so the information may be considered by the City. Please sign this form and transmit a copy via fax to (772) 978-4879. The original signed form should be returned to the City of Vero Beach Department of Public Works, 1053 20th Place, Vero Beach, FL 32960.

DO NOT OBJECT
DO NOT OBJECT WITH CONDITIONS
OBJECT

X

If you OBJECT to this action or DO NOT OBJECT WITH CONDITIONS, please briefly explain why:

Signature of Agency Reviewer:

Printed Name:

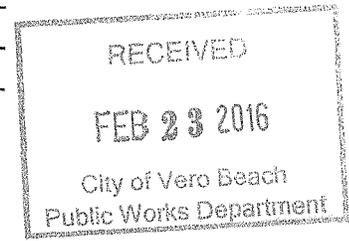
Chris Blahnik

Agency:

City of Vero Beach

Date of Review

2/22/16





**CITY OF VERO BEACH
DEPARTMENT OF PUBLIC WORKS
(772) 978-4870
(772) 978-4879 FAX**

To: COVB Electrical Engineering
COVB Water & Sewer
COVB Planning & Development
COVB Police

X
X
X
X

IRC Fire District
AT&T
Comcast Cable
Florida City Gas

X
X
X
X

From: David R. Gay, PSM
Chief Surveyor

Date: February 17, 2016

RE: **ABANDONMENT OF RIGHT-OF-WAY REQUEST**



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**WATER & SEWER
DEPARTMENT**

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DO NOT OBJECT
DO NOT OBJECT WITH CONDITIONS
OBJECT

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

If you OBJECT to this action or DO NOT OBJECT WITH CONDITIONS, please briefly explain why:

Signature of Agency Reviewer:

Todd A. Young

Printed Name:

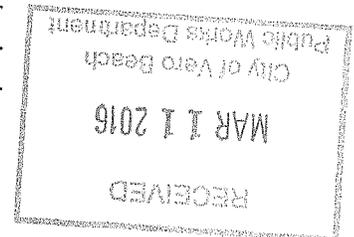
TODD A. YOUNG

Agency:

C.O.V.B. W & S. DEPT.

Date of Review

3/10/2016





**CITY OF VERO BEACH
DEPARTMENT OF PUBLIC WORKS
(772) 978-4870
(772) 978-4879 FAX**

To: COVB Electrical Engineering
COVB Water & Sewer
COVB Planning & Development
COVB Police

X
X
X
X

IRC Fire District
AT&T
Comcast Cable
Florida City Gas

X
X
X
X

From: David R. Gay, PSM
Chief Surveyor

Date: February 17, 2016

RE: **ABANDONMENT OF RIGHT-OF-WAY REQUEST**

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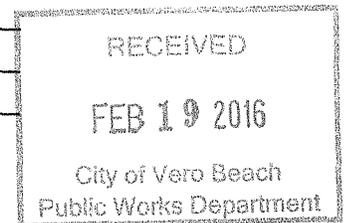
DO NOT OBJECT
 DO NOT OBJECT WITH CONDITIONS
 OBJECT

✓

If you OBJECT to this action or DO NOT OBJECT WITH CONDITIONS, please briefly explain why:

Signature of Agency Reviewer:
 Printed Name:
 Agency:
 Date of Review

Timothy J. McCoam
 Timothy J. McCoam
 Planning & Development
 2/19/16





**CITY OF VERO BEACH
DEPARTMENT OF PUBLIC WORKS
(772) 978-4870
(772) 978-4879 FAX**

To:	COVB Electrical Engineering	<input checked="" type="checkbox"/>	IRC Fire District	<input checked="" type="checkbox"/>
	COVB Water & Sewer	<input checked="" type="checkbox"/>	AT&T	<input checked="" type="checkbox"/>
	COVB Planning & Development	<input checked="" type="checkbox"/>	Comcast Cable	<input checked="" type="checkbox"/>
	COVB Police	<input checked="" type="checkbox"/>	Florida City Gas	<input checked="" type="checkbox"/>

From: David R. Gay, PSM
Chief Surveyor

Date: February 17, 2016

RE: **ABANDONMENT OF RIGHT-OF-WAY REQUEST**

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 Application No. **2016-A/ROW-0163**
 Related Project No.

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DO NOT OBJECT
 DO NOT OBJECT WITH CONDITIONS
 OBJECT

✓

If you OBJECT to this action or DO NOT OBJECT WITH CONDITIONS, please briefly explain why:

Signature of Agency Reviewer: David E. Currey
 Printed Name: David E. Currey
 Agency: Police
 Date of Review: 2/22/16

RECEIVED
FEB 23 2016
 City of Vero Beach
 Public Works Department



**CITY OF VERO BEACH
DEPARTMENT OF PUBLIC WORKS
(772) 978-4870
(772) 978-4879 FAX**

To: COVB Electrical Engineering
COVB Water & Sewer
COVB Planning & Development
COVB Police

X
X
X
X

IRC Fire District
AT&T
Comcast Cable
Florida City Gas

X
X
X
X

From: David R. Gay, PSM
Chief Surveyor

Date: February 17, 2016

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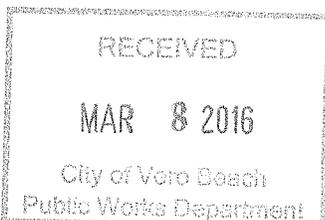
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DO NOT OBJECT
DO NOT OBJECT WITH CONDITIONS
OBJECT

✓

If you OBJECT to this action or DO NOT OBJECT WITH CONDITIONS, please briefly explain why:

Signature of Agency Reviewer: *Sandy Seely*
 Printed Name: Sandy Seely
 Agency: IRC FD
 Date of Review: 3/8/16





**CITY OF VERO BEACH
DEPARTMENT OF PUBLIC WORKS
(772) 978-4870
(772) 978-4879 FAX**

To: COVB Electrical Engineering	<input checked="" type="checkbox"/>	IRC Fire District	<input checked="" type="checkbox"/>
COVB Water & Sewer	<input checked="" type="checkbox"/>	AT&T	<input checked="" type="checkbox"/>
COVB Planning & Development	<input checked="" type="checkbox"/>	Comcast Cable	<input checked="" type="checkbox"/>
COVB Police	<input checked="" type="checkbox"/>	Florida City Gas	<input checked="" type="checkbox"/>

From: David R. Gay, PSM
Chief Surveyor

Date: February 17, 2016

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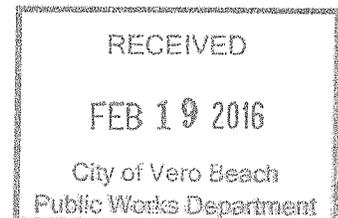
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DO NOT OBJECT
 DO NOT OBJECT WITH CONDITIONS
 OBJECT

If you OBJECT to this action or DO NOT OBJECT WITH CONDITIONS, please briefly explain why:

ALL AT&T FACILITIES ARE LOCATED IN THE REAR
EASEMENTS OF 29th ST. & TROPICAL AV AS AERIAL.
NO BURIED FACILITIES AT THIS LOCATION.

Signature of Agency Reviewer: Peggy Bowman
 Printed Name: PEGGY BOWMAN
 Agency: AT&T
 Date of Review 2-19-16





**CITY OF VERO BEACH
DEPARTMENT OF PUBLIC WORKS
(772) 978-4870
(772) 978-4879 FAX**

To: COVB Electrical Engineering
COVB Water & Sewer
COVB Planning & Development
COVB Police

X
X
X
X

IRC Fire District
AT&T
Comcast Cable
Florida City Gas

X
X
X
X

From: David R. Gay, PSM
Chief Surveyor

Date: February 17, 2016

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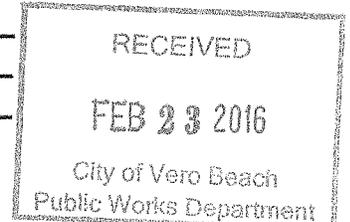
✓

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Signature of Agency Reviewer:
Printed Name:
Agency:
Date of Review

[Signature]
Wilson
Comcast
2-22-16

and Approval





**CITY OF VERO BEACH
DEPARTMENT OF PUBLIC WORKS
(772) 978-4870
(772) 978-4879 FAX**

To: COVB Electrical Engineering
COVB Water & Sewer
COVB Planning & Development
COVB Police

X
X
X
X

IRC Fire District
AT&T
Comcast Cable
Florida City Gas

X
X
X
X

From: David R. Gay, PSM
Chief Surveyor

Date: February 17, 2016

RE: **ABANDONMENT OF RIGHT-OF-WAY REQUEST**

Applicant: **Vero Beach Country Club; Eric & Janna Hall; Harold & Janice McDuffie**
 Property Address: **Carissa Drive & 29th Street**
 Subdivision: **Royal Park Plat No. 3**
 Parcel No. **33-39-01-00005-0120-00001.0; 33-39-01-00005-0120-00002.0 and 32-39-36-00000-5000-00009.0**
 Application No. **2016-A/ROW-0163**
 Related Project No.

The City of Vero Beach Public Works Department has received a request to abandon the right-of-way adjacent to the referenced property. A property description and sketch is attached for your information.

Description of requested right-of-way abandonment:
Portion of 29th Street, Carissa Drive and Park L (Median), Plat No. 3, Royal Park Subdivision.

Please indicate below whether your department/agency approves or disapproves of this action so the information may be considered by the City. Please sign this form and transmit a copy via fax to (772) 978-4879. The original signed form should be returned to the City of Vero Beach Department of Public Works, 1053 20th Place, Vero Beach, FL 32960.

DO NOT OBJECT
 DO NOT OBJECT WITH CONDITIONS
 OBJECT

X

If you OBJECT to this action or DO NOT OBJECT WITH CONDITIONS, please briefly explain why:

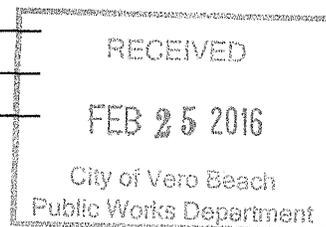
Signature of Agency Reviewer:
 Printed Name:
 Agency:
 Date of Review

Glen Kreishagen

 Glen Kreishagen

 Florida City Gas Company

 2.22.16



City of Vero Beach
Receipt No: 2324900009
Feb 10, 2016 11:44
Acct No:
Amount on Acct: \$450.00

APPLICATION FOR ABANDONMENT OF RIGHT-OF-WAY

City of Vero Beach – Public Works Department
1053 20th Place - P.O. Box 1389
Vero Beach, FL 32961-1389
(772) 978-4870 / Fax (772) 978-4879

CITY OF VERO BEACH
UTILITIES

FEB 10 2016

PAD
CASHIER 000 0

(Applicant must furnish: Copy of Deed, Parcel Number, Property Sketch)

Date Received: 2/8/2016 Application No. 2016-A/ROW-0163

Legal Description of Property:

Near the intersection of 29th Street and Carissa Drive

See attached Exhibit "A"

Eric & Janna Hall - 710 Broadway, Vero Beach, FL

Harold & Janice McDuffie - 936 29th Street, Vero Beach, FL

Owner: Vero Beach Country Club Address: 800 30th Street - Vero Beach, FL

Applicant: Greg Wetzels, General Mgr. Address: 800 30th Street - Vero Beach, FL

Phone: 567-3320 Signature: *Greg Wetzels* Date: 2/9/16

I/We hereby request abandonment of the right-of-way described as follows:

See attached Exhibits "A", "B", "C", "D", & "E"

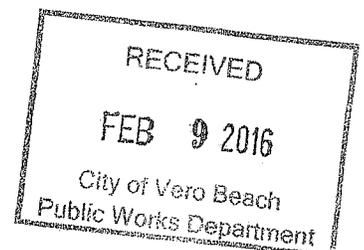
Reason(s) for Request: Establish ownership of a portion of City right-of-way that has been used and maintained by the Vero Beach Country Club for decades.

Reconfigure and increase the buildable area of the Hall's lot.

Use back of sheet for additional space, if necessary.

MAKE CHECKS PAYABLE TO:
CITY OF VERO BEACH - \$450.00
INDIAN RIVER COUNTY FIRE PREVENTION \$50.00

001.0000.369.090100



TO: MR. MONTE FALLS
DIRECTOR
CITY OF VERO BEACH
PUBLIC WORKS DEPARTMENT

RE: APPLICATION FOR ABANDONMENT
CARISSA DR. & 29TH ST

DEAR MR. FALLS,

I, ERIC HALL, HEREBY ACKNOWLEDGE MY
SUPPORT FOR THE APPLICATION FOR THE PROPOSED ROW
ABANDONMENT, LOCATED AT THE INTERSECTION OF 29TH
ST. AND CARISSA DR. I UNDERSTAND THAT THIS WILL
AFFECT THE SIZE AND SHAPE OF MY PARCEL BY ADDING TO
THE OVERALL SQUARE FOOTAGE.

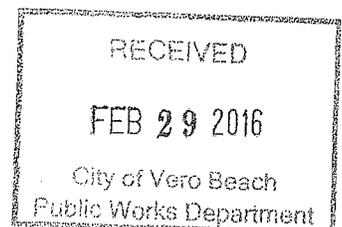
MY ADDRESS IS 2926 Carissa Dr.

Vero Beach Fl 32960

SINCERELY,

X Eric Hall

2/26/2016



AGREEMENT

THIS AGREEMENT dated this 7th day of March, 2016, by and between VERO BEACH COUNTRY CLUB, (hereinafter "The Club") and HAROLD C. MCDUFFIE and JANICE MCDUFFIE, his wife, (hereinafter "McDuffie").

WITNESSETH:

WHEREAS, the City of Vero Beach is the owner of certain real property shown on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, said Exhibit "A" property has been designated as "right of way" property for the City of Vero Beach; and

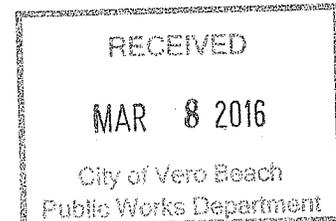
WHEREAS, the City of Vero Beach has elected to abandon said property as a right of way; and

WHEREAS, a portion of the abandoned "right of way" property will inure to the benefit of McDuffie; and

WHEREAS, The Club is agreeable to the City of Vero Beach conveying a portion of the abandoned "right of way" property to McDuffie.

NOW THEREFORE, in consideration of Ten Dollars and 00/100 (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. McDuffie agrees to accept by a deed of conveyance from the City of Vero Beach a parcel of land set forth in Exhibit "B" attached hereto and made a part hereof.
2. Each of the parties hereto understand and agree that they shall execute any and all documents reasonably necessary to comply with the terms and conditions of this Agreement and further agree to cooperate promptly in the correction and/or completion of any such documents as may be reasonably necessary.
3. Each of the parties represents and warrants that they have full power and authority to enter into this Agreement and are otherwise able to comply and complete the terms of said agreement.
4. This Agreement shall be binding upon and inure to the benefit of the parties, their successors and assigns.
5. This Agreement may be amended only by a written document executed by all of the parties hereto.



6. This Agreement and the other agreements expressly referred to herein set forth the entire understanding of the parties hereto, and supersede all prior contracts, agreements, arrangements, communications, discussions, representations and warranties, whether oral or written, between the parties.

7. Any notice, request or other communication required or permitted hereunder shall be in writing and shall be deemed to have duly given if sent by registered or certified mail, return receipt requested, postage prepaid, to the parties (and to the individuals to whom copies shall be sent at their addresses set forth below. Any party by written notice to the other party may change the address or the persons to whom notice or copies thereof shall be directed.

Vero Beach Country Club
Attn: Greg Wetzel
800 30th Street
Vero Beach, FL 32960

Harold C. & Janice McDuffie
936 29th Street
Vero Beach, FL 32960

Michael J. Garavaglia, Esquire
Collins, Brown, Barkett, Garavaglia & Lawn
756 Beachland Blvd.
Vero Beach, FL 32963

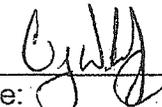
8. This Agreement may be signed in any number of counterparts with the same effect as if the signature on each such counterpart were upon the same instrument.

9. This Agreement will be governed by and construed in accordance with the laws of the State of Florida.

IN WITNESS WHEREOF, The Club and McDuffie have hereunto set their hands and seals this _____ day of _____, 2016.

Vero Beach Country Club

Date: 3/7/16

By: , General Manager
Name:

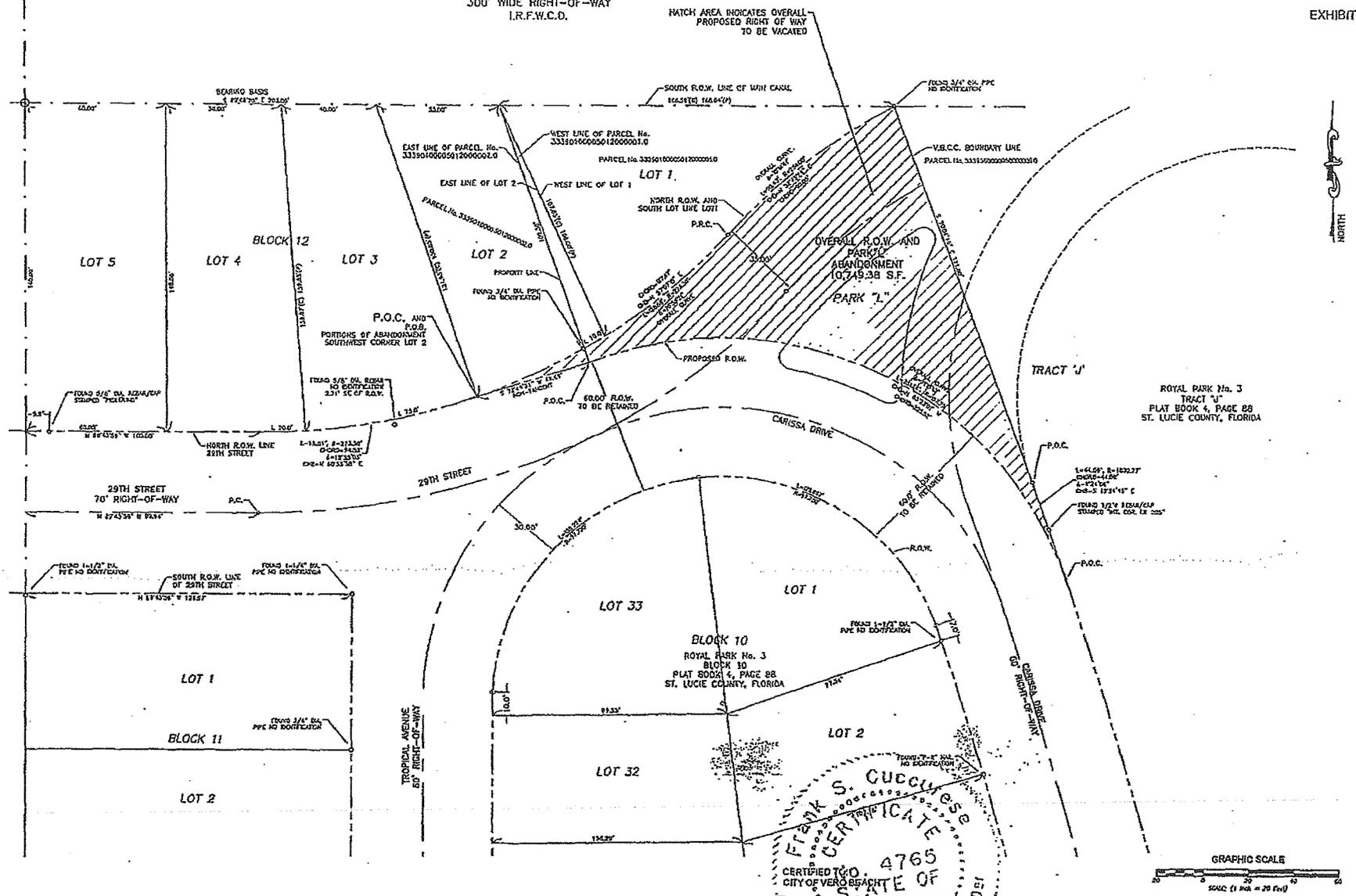
Date: 3/7/16

Title: 
Harold C. McDuffie

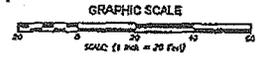

Janice McDuffie

'MAIN RELIEF CANAL'
300' WIDE RIGHT-OF-WAY
I.R.F.W.C.D.

EXHIBIT 'A'



FRANK S. CUCCINES
CERTIFICATE
CITY OF VERO BEACH
STATE OF FLORIDA
4765



NO.	REVISION	BY	DATE

VERO BEACH COUNTRY CLUB
800 30TH STREET
VERO BEACH, FLORIDA 32960

CARTER ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
1708 21st STREET, VERO BEACH, FL 32960
TEL: (772) 562-4191 FAX: (772) 662-7180

DATE: 24 JANUARY 13, 2016
PROJECT: 154-46
DRAWN BY: FSG
CHECKED BY: FSG
PLotted BY: Frank Cuccines
PREPARED BY: Frank Cuccines
REV. A: 01/13/16
REV. B: 01/13/16
REV. C: 01/13/16

SKETCH AND DESCRIPTION
OVERALL PORTION OF R.O.W. ABANDONMENT
A PORTION OF ROYAL PARK PLAT No. 3 SUBDIVISION
CITY OF VERO BEACH, FLORIDA
EXHIBIT 'A'

SHEET
1 OF 2
Orig # 20104-A

DESCRIPTION OF PROPOSED ROAD RIGHT OF WAY ABANDONMENT

A PORTION OF "29TH STREET", "CARISSA DRIVE" ROAD RIGHT OF WAY AND A PORTION OF PARK 'L' SITUATED IN PART OF PLAT NO. 3 OF ROYAL PARK SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 88 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW LYING AND BEING INDIAN RIVER COUNTY, FLORIDA; DESCRIBED AS FOLLOWS:

ALL THAT ROAD RIGHT OF WAY LYING SOUTHEASTERLY OF AND BOUNDED ON THE NORTHWEST BY THOSE CERTAIN PARCELS IDENTIFIED AS PARCEL NUMBER 33390100005012000001.0 AND PARCEL NUMBER 33390100005012000002.0 BY THE PROPERTY APPRAISER OF INDIAN RIVER COUNTY, FLORIDA; LYING SOUTHWESTERLY OF AND BOUNDED ON THE NORTHEAST BY THAT CERTAIN PARCEL IDENTIFIED AS PARCEL NUMBER 3339360000050000009.0 BY THE PROPERTY APPRAISER OF INDIAN RIVER COUNTY, FLORIDA; AND LYING NORTHERLY OF AND BOUNDED ON THE SOUTH BY THE PROPOSED 60 FEET WIDE RIGHT OF WAY OF "CARISSA DRIVE" ROAD RIGHT OF WAY, SAID "CARISSA DRIVE" AS SHOWN ON THE AFORESAID PLAT NO. 3 OF ROYAL PARK SUBDIVISION;

SAID RIGHT OF WAY ABANDONMENT BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 OF BLOCK 3 OF AFORESAID PLAT NO.3 OF ROYAL PARK SUBDIVISION AND POINT ON CURVE; THENCE RUN NORTHEASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID "29TH STREET", ALSO BEING THE SOUTH BOUNDARY LINES OF THOSE AFOREMENTIONED CERTAIN PARCEL NUMBER 33390100005012000002.0 (LOT 2, BLOCK 12) AND PARCEL NUMBER 33390100005012000001.0 (LOT 1, BLOCK 12) ALL OF PLAT NO. 3 OF ROYAL PARK SUBDIVISION AND CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 273.30 FEET, A CENTRAL ANGLE OF 26°58'21", SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 57°07'15" EAST 127.47 FEET AND AN ARC DISTANCE OF 128.66 FEET TO A POINT OF REVERSE CURVATURE;

THENCE CONTINUE NORTHEASTERLY ALONG SAID NORTH RIGHT OF WAY LINE OF "29TH STREET" AND SOUTH BOUNDARY OF SAID LOT 1, BLOCK 12, AND CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 284.00 FEET, A CENTRAL ANGLE OF 18°14'41", SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 52°45'24" EAST 90.05 FEET AND AN ARC DISTANCE OF 90.43 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 12 AND POINT OF INTERSECTION ON THE NORTHWESTERLY PROJECTION OF THE WEST BOUNDARY LINE OF TRACT 'J' OF AFORESAID PLAT NO. 3 OF ROYAL PARK SUBDIVISION;

THENCE RUN SOUTH 20°04'19" EAST ALONG SAID PROJECTION LINE OF THE WEST BOUNDARY LINE OF TRACT 'J' A DISTANCE OF 171.80 FEET TO A POINT ON CURVE; THENCE CONTINUE SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1802.27 FEET, A CENTRAL ANGLE OF 01°24'06", SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 19°34'45" EAST 44.09 FEET AND AN ARC DISTANCE OF 44.09 FEET TO A POINT ON CURVE;

THENCE RUN NORTHWESTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST, BEING THE NORTH RIGHT OF WAY LINE OF THE PROPOSED 60 FEET WIDE REMAINING PORTION OF "CARISSA DRIVE" RIGHT OF WAY THAT MEETS "29TH STREET" RIGHT OF WAY AS SHOWN ON AFORESAID PLAT NO. 3 OF ROYAL PARK SUBDIVISION, HAVING A RADIUS OF 157.75 FEET, A CENTRAL ANGLE OF 91°15'13", SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 65°23'01" WEST 225.52 FEET AND AN ARC DISTANCE OF 251.24 FEET TO A POINT OF NON TANGENCY;

THENCE RUN SOUTH 72°44'21" WEST A DISTANCE OF 49.69 FEET TO THE AFORESAID SOUTHWEST CORNER OF LOT 2 AND POINT OF BEGINNING.

THE ABOVE DESCRIBED ABANDONMENT OF ROAD RIGHT OF WAY AND PARK 'L' CONTAINING 10,749.38 S.F. OR 0.25 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
- A MINIMUM SEARCH WAS MADE OF THE PUBLIC RECORDS BY THIS FIRM OR SURVEYOR FOR ADJACENT PARCEL IDENTIFICATION. THE ROAD RIGHTS-OF-WAY, AND ADJACENT LOTS WITHIN THE PLAT NO. 3 OF ROYAL PARK SUBDIVISION WAS OBTAINED FROM RECORD PLAT AND OFFICE ARCHIVE ORIGINAL WORK DRAWINGS OF THE ROYAL PARK SUBDIVISION PLATS.
- ANY FOUNDATIONS AND UNDERGROUND UTILITIES WERE NOT OBSERVED OR RECORDED FOR THIS SKETCH AND DESCRIPTION.
- BEARINGS SHOWN ARE BASED UPON MAD832097 FLORIDA EAST ZONE (801). THE BEARING OF SOUTH 89°48'20" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF THE MAIN RELIEF CANAL.
- THIS MAP IS A SKETCH AND DESCRIPTION OF ABANDONMENT OF ROAD RIGHT OF WAY AND PARK 'L'; A BOUNDARY SURVEY WAS NOT PERFORMED TO DELINEATE THE BOUNDARY LIMITS OF SAID ABANDONMENT PARCEL.
- THE DESCRIPTION SHOWN HEREON WAS DEVELOPED BY THE PROFESSIONAL SURVEYOR AND MAPPER AS DIRECTED BY THE CLIENT.
- THIS SKETCH AND DESCRIPTION OF ABANDONMENT OF ROAD RIGHT OF WAY AND PARK IS COMPRISED OF TWO (2) PAGES, ONE (1) IS NOT VALID WITHOUT THE OTHER.

LEGEND

	WATER METER		ELECTRICAL RISER
	ANCHOR & GUY WIRE		MAIL RECEPTACLE
	SIGN		ELECTRICAL METER
	DRAINAGE CATCH BASIN		TELEPHONE OR CABLE RISER
	SANITARY SEWER MANHOLE		DIAMETER
	OVERHEAD ELECTRIC		RIGHT OF WAY
	WATER VALVE		N.G.V.D. NATIONAL GEODETIC VERTICAL DATUM
	FIRE HYDRANT		N.A.V.D. NORTH AMERICAN VERTICAL DATUM
	UTILITY POLE		C.B.S. CONCRETE BLOCK STRUCTURE
	OBSERVED DATA		CONC. CONCRETE
	PLAT DATA		L.P. LIQUID PROPANE
	CALCULATED DATA		FIN.FLEL. FINISH FLOOR ELEVATION
	EXISTING WELL		R.C.P. EL. REINFORCED CONCRETE PIPE ELEVATION
	TELEPHONE/CATV RISER		EXISTING GROUND VERTICAL ELEVATION
	SANITARY CLEAN-OUT		BACKFLOW PREVENTOR
	YARD LIGHT		CONCRETE POWER POLE
	POLYVINYL CHLORIDE (PLASTIC)		IRRIGATION VALVE
	CHORD BEARING		VERO BEACH COUNTRY CLUB GOLF COURSE OUT OF BOUNDS LINE
	TANGENT		CABBAGE PALM WITH DIAMETER
	DELTA ANGLE		CABBAGE PALM WITH DIAMETER
	RADIUS		CABBAGE PALM WITH DIAMETER
	LENGTH		CABBAGE PALM WITH DIAMETER
	VERO BEACH COUNTRY CLUB		POINT OF REVERSE CURVATURE
	POINT OF REVERSE CURVATURE		POINT OF CURVATURE
	POINT OF CURVATURE		DENOTES PROPOSED OVERALL RIGHT OF WAY TO BE VACATED

THIS IS NOT A BOUNDARY SURVEY

NO.	REVISION	BY	DATE

VERO BEACH COUNTRY CLUB
800 30TH STREET
VERO BEACH, FLORIDA 32980

CARTER ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
1708 21st STREET, VERO BEACH, FL 32980
TEL: (772) 562-4101 FAX: (772) 562-7180

THIS SURVEY CONSISTS OF 2 SHEETS.
ONE IS NOT VALID WITHOUT THE OTHERS.

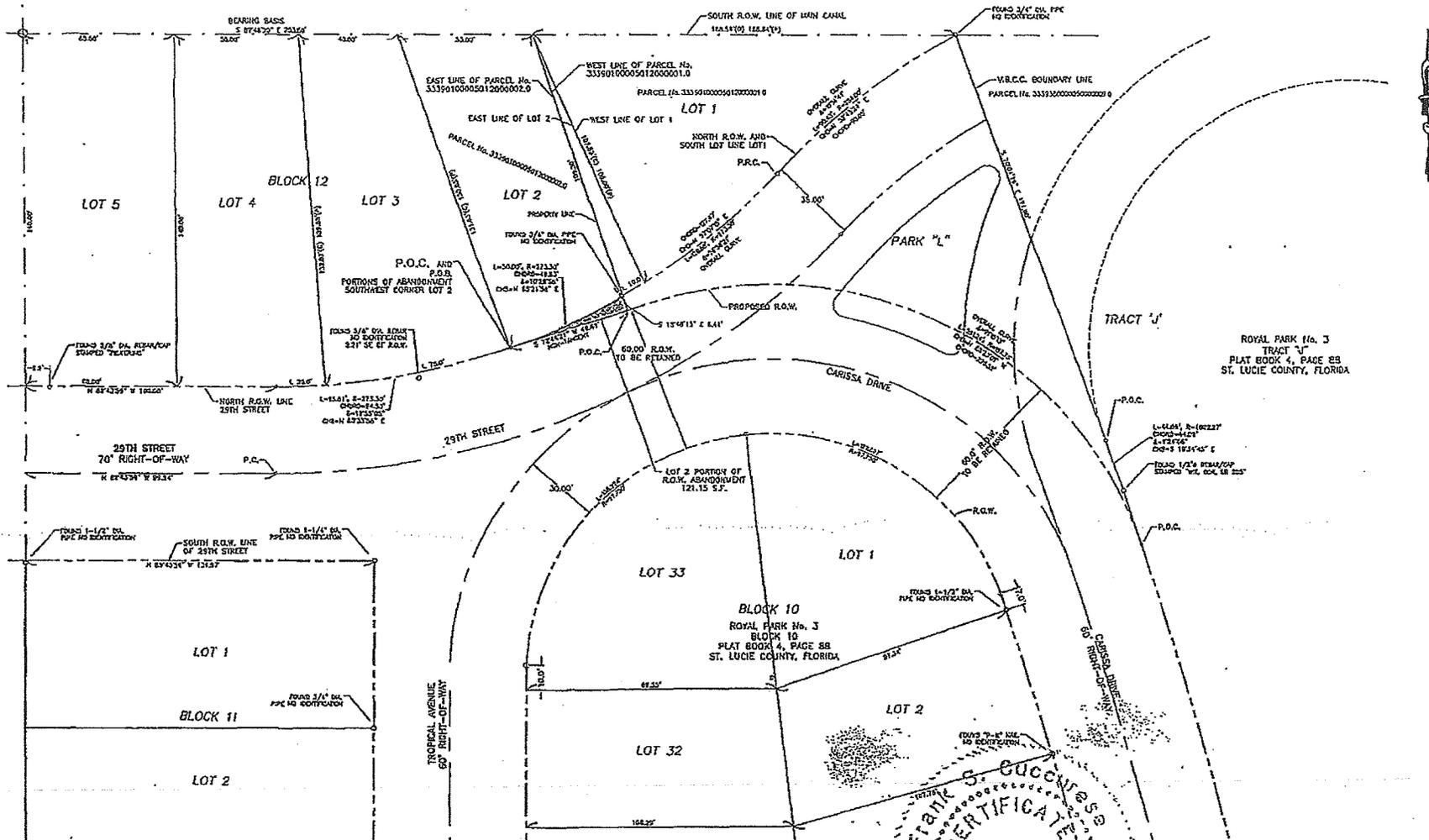
DATE: 2 JANUARY 23, 2016
PROJ: 14-42E
DRAWING: FSC
APPD. BY: LFC
PLOT BY: Frank O'Connell
PREPARED: 1/23/16
REF: 1 1975-C, 1179-C
F.L. & P.C.: 17925

SKETCH AND DESCRIPTION
OVERALL PORTION OF R.O.W. ABANDONMENT
A PORTION OF ROYAL PARK PLAT No.3 SUBDIVISION
CITY OF VERO BEACH, FLORIDA
EXHIBIT 'A'

SHEET
2 OF 2
Dwg. # 20104-A

'MAIN RELIEF CANAL'
300' WIDE RIGHT-OF-WAY
I.R.F.W.C.D.

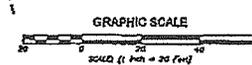
EXHIBIT B



ROYAL PARK No. 3
TRACT 17
PLAT BOOK 4, PAGE 28
ST. LUCIE COUNTY, FLORIDA

BLOCK 10
ROYAL PARK No. 3
BLOCK 10
PLAT BOOK 4, PAGE 28
ST. LUCIE COUNTY, FLORIDA

FRANK S. CUCCHIESI
CERTIFICATE
No. 4765
STATE OF FLORIDA



NO.	REVISION	BY	DATE

VERO BEACH COUNTRY CLUB
805 30TH STREET
VERO BEACH, FLORIDA 32960

CARTER ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
1708 21st STREET, VERO BEACH, FL 32960
TEL: (772) 562-4101 FAX: (772) 562-7160

CERTIFIED TO:
CITY OF VERO BEACH
No. 4765
STATE OF FLORIDA

SKETCH AND DESCRIPTION
LOT 2 PORTION OF R.O.W. ABANDONMENT
A PORTION OF ROYAL PARK PLAT No. 3 SUBMISSION
CITY OF VERO BEACH, FLORIDA
EXHIBIT 'E'

SHEET
1 OF 2
C-29104-A1

SURVEYOR'S NOTES:

- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
- A MINIMUM SEARCH WAS MADE OF THE PUBLIC RECORDS BY THIS FIRM OR SURVEYOR FOR ADJACENT PARCEL IDENTIFICATION, THE ROAD RIGHTS-OF-WAY, AND ADJACENT LOTS WITHIN THE PLAT NO. 3 OF ROYAL PARK SUBDIVISION WAS OBTAINED FROM RECORD PLAT AND OFFICE ARCHIVE ORIGINAL WORK DRAWINGS OF THE ROYAL PARK SUBDIVISION PLATS.
- ANY FOUNDATIONS AND UNDERGROUND UTILITIES WERE NOT OBSERVED OR RECORDED FOR THIS SKETCH AND DESCRIPTION.
- BEARINGS SHOWN ARE BASED UPON NAD83/2007 FLORIDA EAST ZONE (801). THE BEARING OF SOUTH 89°48'20" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF THE MAIN RELIEF CANAL.
- THIS MAP IS A SKETCH AND DESCRIPTION OF ABANDONMENT OF ROAD RIGHT OF WAY AND PARK 'L'. A BOUNDARY SURVEY WAS NOT PERFORMED TO DELINEATE THE BOUNDARY LIMITS OF SAID ABANDONMENT PARCEL.
- THE DESCRIPTION SHOWN HEREON WAS DEVELOPED BY THE PROFESSIONAL SURVEYOR AND MAPPER AS DIRECTED BY THE CLIENT.
- THIS SKETCH AND DESCRIPTION OF ABANDONMENT OF ROAD RIGHT OF WAY AND PARK IS COMPRISED OF TWO (2) PAGES, ONE (1) IS NOT VALID WITHOUT THE OTHER.

DESCRIPTION OF PROPOSED ROAD RIGHT OF WAY ABANDONMENT FOR LOT 2, BLOCK 12, PLAT NO.3 OF ROYAL PARK

A PORTION OF THE "29TH STREET" ROAD RIGHT OF WAY LYING SOUTHEASTERLY OF, CONTIGUOUS TO AND BOUNDED ON THE NORTHWEST BY LOT 2 OF BLOCK 12 OF PLAT NO. 3 OF ROYAL PARK SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 88 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, NOW LYING AND BEING INDIAN RIVER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

SAID PORTION OF RIGHT OF WAY ABANDONMENT BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID LOT 2 OF BLOCK 12 OF PLAT NO.3 OF ROYAL PARK SUBDIVISION AND POINT ON CURVE RUN NORTHEASTERLY ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 2 AND CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 273.30 FEET, A CENTRAL ANGLE OF 10°28'56", SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 85°21'58" EAST 49.93' AND AN ARC DISTANCE OF 50.00 FEET TO THE INTERSECTION WITH THE EAST BOUNDARY LINE OF THAT PORTION OF SAID LOT 2, HAVING PARCEL IDENTIFICATION 33390100005012000002.0 BY THE PROPERTY APPRAISER OF INDIAN RIVER COUNTY, FLORIDA;
 THENCE RUN SOUTH 18°48'13" EAST ALONG THE SOUTHERLY EXTENSION OF SAID EAST BOUNDARY LINE A DISTANCE OF 6.41 FEET TO A POINT OF NON TANGENCY; THENCE RUN SOUTH 72°44'21" WEST A DISTANCE OF 49.69 FEET TO THE AFORESAID SOUTHWEST CORNER OF LOT 2 AND POINT OF BEGINNING.

THE ABOVE DESCRIBED PORTION OF ROAD RIGHT OF WAY ABANDONMENT CONTAINING 121.15 S.F.

LEGEND

	WATER METER		ELECTRICAL RISER
	ANCHOR & GUY WIRE		MAIL RECEPTACLE
	SIGN		ELECTRICAL METER
	DRAINAGE CATCH BASIN		TELEPHONE OR CABLE RISER
	SANITARY SEWER MANHOLE		DIA. DIAMETER
	OVERHEAD ELECTRIC		R.O.W. RIGHT OF WAY
	WATER VALVE		N.G.V.D. NATIONAL GEODETIC VERTICAL DATUM
	FIRE HYDRANT		N.A.V.D. NORTH AMERICAN VERTICAL DATUM
	UTILITY POLE		C.B.S. CONCRETE BLOCK STRUCTURE
	OBSERVED DATA		CONC. CONCRETE
	PLAT DATA		L.P. LIQUID PROPANE
	CALCULATED DATA		FIN.F.L.E.L. FINISH FLOOR ELEVATION
	EXISTING WELL		R.C.P. REINFORCED CONCRETE PIPE
	TELEPHONE/CATV RISER		EL. ELEVATION
	SANITARY CLEAN-OUT		EXISTING GROUND VERTICAL ELEVATION
	YARD LIGHT		BACKFLOW PREVENTOR
	PVC POLYVINYL CHLORIDE (PLASTIC)		CONCRETE POWER POLE
	CHORD BEARING		IRRIGATION VALVE
	TANGENT		VERO BEACH COUNTRY CLUB GOLF COURSE OUT OF BOUNDS LINE
	DELTA ANGLE		CABBAGE PALM WITH DIAMETER
	R RADIUS		CABBAGE PALM WITH DIAMETER
	L LENGTH		
	VERO BEACH COUNTRY CLUB		
	POINT OF REVERSE CURVATURE		
	POINT OF CURVATURE		

DENOTES PROPOSED PORTION OF RIGHT OF WAY TO BE VACATED

THIS IS NOT A BOUNDARY SURVEY

NO.	REVISION	BY	DATE

VERO BEACH COUNTRY CLUB
 800 90TH STREET
 VERO BEACH, FLORIDA 32980

CARTER ASSOCIATES, INC.
 CONSULTING ENGINEERS AND LAND SURVEYORS
 1708 21st STREET, VERO BEACH, FL 32980
 TEL: (772) 582-4181 FAX: (772) 582-7180

THIS SURVEY CONSISTS OF 2 SHEETS.
 ONE IS NOT VALID WITHOUT THE OTHER.

DATE: JANUARY 13, 2016
 PROJ.#: 14-02
 DRAWN BY: FSC
 APP. BY: FSC
 PLOT BY: Frank O'Connell
 PLOT TIME: 1/14/16
 REF.#: 19706-C, 17479-C
 P.L. & P.C.: 137254

SKETCH AND DESCRIPTION
 LOT 2 PORTION OF R.O.W. ABANDONMENT
 A PORTION OF ROYAL PARK PLAT NO.3 SUBDIVISION
 CITY OF VERO BEACH, FLORIDA
 EXHIBIT 'E'

SHEET
2 OF 2