

PREPARED BY:

Carlos Megias, Esquire
Florida Power & Light Company
700 Universe Blvd. LAW/JB
Juno Beach, Florida 33408-0420

Folio No. _____

Space Reserved for Recording

RIGHT OF WAY DEED

THIS INDENTURE, made this 24th day of April, 2009, by and between **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation, whose address is 700 Universe Boulevard, Juno Beach, Florida 33408-0420, of the County of Palm Beach of the State of Florida, "Grantor", and **INDIAN RIVER COUNTY**, a political subdivision of the State of Florida, whose Post Office address is 1801 27th Street, Vero Beach, Florida 32960-3365, hereinafter "Grantee".

WITNESSETH:

That said Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt of which is acknowledged, has granted, bargained and sold unto the said Grantee, its successors and assigns the following described property for right-of-way, utilities, and the right to provide service to maintain, repair and replace and have access to facilities or infrastructure on the property or said right-of-way and utilities, and all other public purposes as Grantee may deem necessary over, along, through, in, above and under that certain parcel of land situated, lying and being in Indian River County, Florida, described as follows:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the same unto the Grantee, its successors and assigns forever.

Subject to taxes for the current year and subsequent years, to zoning restrictions and other requirements imposed by governmental authority, and to easements, conditions, reservations, restrictions and limitations of record.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand and seal the day and year first above written.

WITNESSES:

Michelle M. Kahmann

Michelle M. Kahmann

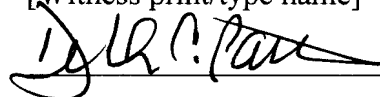
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FLORIDA POWER & LIGHT COMPANY

By: 

Dina L. Guenther

Dir., Corp. Real Estate



Deborah C. Patterson

[Witness print/type name]

- ("Grantor" and "Grantee" are used for singular or plural, as context requires.)
- C - COUNTY ATTORNEY'S OFFICE
INDIAN RIVER COUNTY
1801 27th Street
Vero Beach, Florida 32960**

ACKNOWLEDGEMENT

STATE OF FLORIDA)
)ss:
COUNTY OF PALM BEACH)

On this 24th day of April, 2009 before me, the undersigned notary public, personally appeared Dina L. Guenther of Florida Power & Light Company, a Florida corporation, personally known to me to be the person who subscribed to the foregoing instrument or who has produced _____, as identification, and acknowledged that he executed the same on behalf of said corporation and that he was duly authorized so to do.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

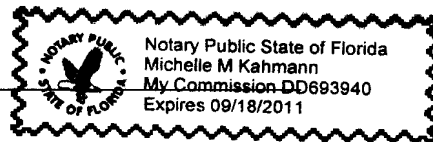
(SEAL)

Michelle M. Kahmann
Notary Public, State of Florida
Signature of Notary taking Acknowledgment)

Michelle M. Kahmann
Name of Notary Typed, Printed or Stamped

My Commission Expires:

Commission Number



APPROVED AS TO FORM:

[Signature]
County Attorney

Accepted this 15th day of December, 2009.

INDIAN RIVER COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

By: Peter D. O'Bryan
Peter D. O'Bryan, Chairman

Date Signed: December 15, 2009

Approved as to form
and legal sufficiency:

William K. DeBraal
William K. DeBraal
Deputy County Attorney

Attest: J. K. Barton, Clerk

By: Leana Allen
Deputy Clerk

Date 12/15/09

***Sketch of Legal Description
for Florida Power and Light Company
at the Proposed Gifford Substation Site
Indian River County, Florida
for Additional Right-of-Way Acquisition
Sheet 1 of 2
Not Valid Without All Sheets***

SURVEYORS NOTES

- 1) THE BEARING BASIS IS THE SOUTH LINE OF TRACT 4 AS DEPICTED ON THIS SKETCH, THE BEARING IS N89°45'21"W.
- 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 MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

LEGEND

R/W	RIGHT-OF-WAY
NO.	NUMBER
R	RADIUS
L	LENGTH
CH	CHORD DISTANCE
CB	CHORD BEARING
PSM	PROFESSIONAL SURVEYOR AND MAPPER
Δ	DELTA
N	NORTH
S	SOUTH
E	EAST
W	WEST

LEGAL DESCRIPTION

A PORTION OF THE SOUTH 5 ACRES OF THE EAST 21.05 ACRES OF TRACT 4, SECTION 28, TOWNSHIP 32 SOUTH, RANGE 39 EAST, ACCORDING TO THE LAST GENERAL PLAT OF THE LANDS OF INDIAN RIVER FARMS COMPANY AS FILED IN PLAT BOOK 2, PAGE 25 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LANDS NOW LYING IN INDIAN RIVER COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 4, THENCE S89°45'21"E ALONG THE SOUTH LINE OF SAID TRACT 4, A DISTANCE OF 655.81 FEET TO THE POINT OF BEGINNING; THENCE N00°18'45"E ALONG THE WESTERLY LINE OF THE SAID SOUTHERLY 5 ACRES, A DISTANCE OF 15.00 FEET; THENCE S89°45'21"E PARALLEL TO THE SOUTH LINE OF SAID TRACT 4, A DISTANCE OF 362.64 FEET; THENCE S00°13'45"W, A DISTANCE OF 15.00 FEET TO THE SOUTH LINE OF SAID TRACT 4; THENCE N89°45'21"W ALONG THE SOUTH LINE OF SAID TRACT 4, A DISTANCE OF 362.66 FEET TO THE POINT OF BEGINNING, CONTAINING 5,439.76 SQUARE FEET OR 0.12 ACRES, MORE OR LESS.

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

Drawn by: CJG	Checked by: DMT	File name: 5758.LGL	Date: 10/20/06	Scale: NA	Drawing Name: 5758.LGL.DWG
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Masteller, Moler, Reed & 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) 794-0647

NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER.

David M. Taylor
DAVID TAYLOR P.L.S. 5243

EXHIBIT A

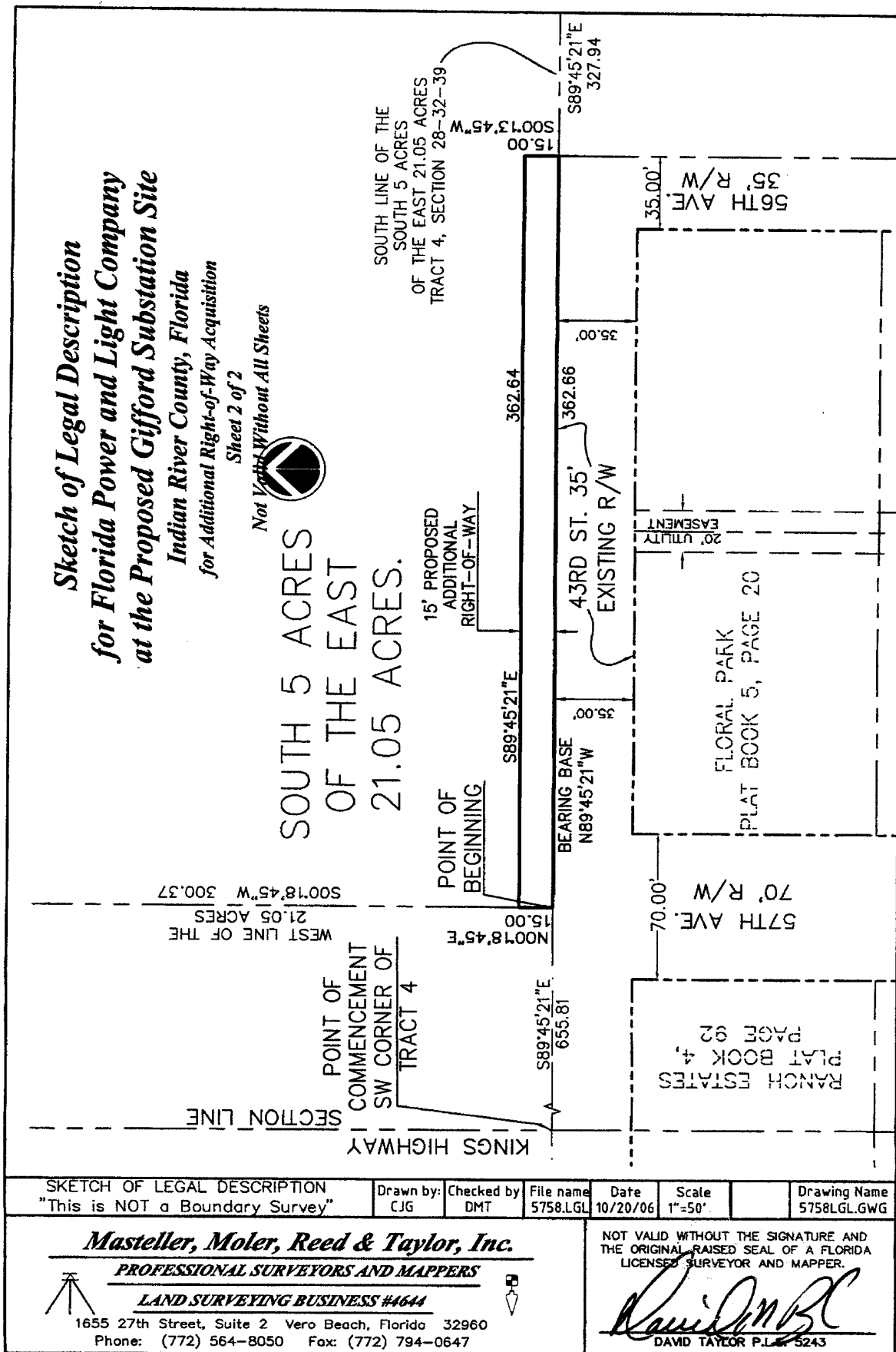


EXHIBIT A