



Florida Department
of
Environmental
Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Herschel T.
Vinyard Jr.
Secretary

January 6, 2014

Connie Lasher
CARDNO

4081 East Olive Road, Suite A
Pensacola, Florida 32514

RE: Fort Pierce Redevelopment Agency (FPRA)/Former HD King Power Plant

Dear Ms. Lasher:

This letter is in response to your recent inquiry requesting a determination of state owned lands in Section 10, Township 35 South, Range 40 East; St. Lucie County.

Records on file within the Title and Land Records Section indicate that based on the survey provided in the request by CARDNO TBE, Parcel 1 and the Utility Authority Parcels A & B do not include state lands or lands encumbered by reverters in lands conveyed by the state. The lands subject to the reverters are located easterly of subject site shown on the survey.

The conclusions stated herein are based on a review of records currently available within the Department of Environmental Protection as supplemented, in some cases, by information furnished by the requesting party and do not constitute a legal opinion of title. A permit from the Department of Environmental Protection and other federal, state and local agencies may be required prior to conducting activities.

Should you have any questions regarding this determination, please contact Donelle White, GOC II, at mail station 108 at the above address or call at (850) 245-2788.

Sincerely,

Rod A. Maddox, Chief
Division of State Lands
Bureau of Survey and Mapping

RAM/dw

F:\TITLE\Donelle\Jan-Mar 2014\St Lucie\connie lasher @ cardno 1-6-14.doc

Sovereign Submerged Land Reverter Evaluation Report (Draft)

Former HD King Power Plant, Parcel 1

00022-926-03

Prepared for
Cardno

11/12/2013



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B	TIIF Dedication 24195
C	TIIF Dedication 24195 Modification
D	TIIF Deed 23913
E	TIIF Deed 20807

1.0 Executive Summary

This report describes the review undertaken to identify and address any Trustees of the Internal Improvement Trust Fund (TIIF) reversion issues. These services were designed to address and resolve any TIIF reversion issues associated with three parcels of property; the property referred to as Parcel 1 which contains property owned by the Fort Pierce Redevelopment Agency (FPRA) and right-of-way owned by the City of Fort Pierce, as well as two additional properties referred to as Utilities Authority Parcel A (UA Parcel A) and Utility Authorities Parcel B (UA Parcel B) which are owned by the City of Fort Pierce Utilities Authority (FPUA). Parcels 2 and 3 were not to be addressed at this time.

Cardno TBE's research indicated no TIIF reverter clauses associated with the FPRA portion of Parcel 1, UA Parcel A or UA Parcel B; however as a cautionary approach Cardno TBE recommends confirmation of this determination be obtained from the State of Florida Department of Environmental Protection, Division of State Lands.

2.0 Introduction

Cardno TBE was retained to assist the FPRA with Redevelopment and Remedial Planning and Coordination Services. These services were designed to address and resolve any TIIF reversion issues associated with the property referred to as Parcel 1 owned by FPRA, less the right-of-way and two additional properties referred to as Utilities Authority Parcel A (UA Parcel A) and Utility Authorities Parcel B (UA Parcel B) which are owned by the City of Fort Pierce Utilities Authority.

3.0 Site Background

The former H.D. King Power Plant site is located at 311 North Indian River Drive, Ft. Pierce and comprises approximately 6 acres near downtown and the Ft. Pierce Marina. The former plant site consisted of 3 parcels which included Parcel 1. Parcel 1 is the main parcel on which the majority of the former power plant operations were conducted and is located on the east side of North 2nd Street and south of Moore's Creek. A site location map and parcel layout map are included as **Figures 1 and 2**, respectively.

Power generation has been conducted at the property since 1912, when a wood fired power plant began operation. That plant was removed from the site in the early 1930s after which the H.D. King Plant was built. The H.D. King Plant was a 131 Megawatt electric generating plant that used a mix of petroleum and natural gas fuels to power the electricity generating units. Due to the age of the plant and external business reasons, the FPUA closed the plant in May 2008 and made plans to demolish the plant. Demolition activities began in June 2008 and were completed in October 2009. The property ownership of Parcel 1 was transferred to the FPRA in 2010, less the right of way retained by the City of Fort Pierce. The FPRA is in the midst of a multi-year environmental cleanup of the former plant site (Parcel 1). Parcels 2 and 3 have received Site Rehabilitation Completion Orders (SRCO) from the State of Florida Department of Environmental Protection (FDEP) and are available for redevelopment.

UA Parcel A is located on the south of A E Backus Avenue, north of Moore's Creek and west of UA Parcel B. UA Parcel B is located south of A E Backus Avenue, north of Moore's Creek and west of Indian River Drive. These parcels house a pumping station that services the FPUA water treatment plant on the barrier island.

4.0 Evaluation

4.1 Parcel 1

In 2007, the City of Fort Pierce Utilities Authority commissioned a public records search of the deeds associated with their plant and adjacent operations sites. The search results included a number of TIIF deeds and dedications associated with these respective properties. Given that Moore's Creek originally meandered across the entire width and depth of Parcel 1, these deeds were believed to be associated with the channelization of Moore's Creek. Early discussions between Cardno TBE and the State of Florida Department of Environmental Protection Division of State Lands (FDEP), focused on what process would be required to obtain either a disclaimer or recordable document effectively addressing/removing any TIIF reversion clauses. While an exact date of the relocation/channelization of Moore's Creek to the northern boundary of Parcel 1 is not known; documentation can be produced to show the activity occurred prior to May 29, 1951 as required of applications for Disclaimers to confirm title of formerly sovereignty lands pursuant to Chapter 253.129, Florida Statutes (F.S.) and/or July 1, 1975 as required of applications for a recordable document (certificate) pursuant to paragraphs 253.12(9) & (10) F.S. These early discussions are critical since an application must be supported by

documentary evidence acceptable to FDEP and this may include items not specified on the application form.

The review of vesting deeds from the 2007 public records search provided by FPRA along with Cardno TBE's research did reveal a TIIF deed number 23913, a TIIF dedication number 24195 and a modification to TIIF dedication number 24195 attached to Parcel 1. All documents contain reverter clauses; however, the reverter clauses are associated with the Indian River and not Moore's Creek relocation/channelization; therefore, not applicable to Parcel 1.

The 7.0 acres, more or less granted to the City of Fort Pierce in TIIF deed number 23913 is depicted by the cross hatched area in **Figure 3**. The 18.0 acres, more or less, contained in two parcels "A" and "B" granted to the City of Fort Pierce in TIIF dedication number 24195 is depicted by the cross hatched area in **Figure 4**. These figures were created using information from the Board of Trustees' Land Database System in Map Direct and required verification of exactly what portion, if any, of Parcel 1 is included in the TIIF deed number 23913 and dedication number 24195.

Culpepper and Terpening Inc. (a local professional land surveying firm) were commissioned by FPRA to provide a boundary and topographic survey of the FPRA property (**Appendix A**). The FPRA property is comprised of Parcel 1 less the area retained by the City of Ft. Pierce to serve as right-of-way. The legal property descriptions of TIIF deed number 23913 and TIIF dedication number 24195 were then overlaid on the boundary and topographic survey (**Appendix A**). No portion of Parcel 1 is contained within TIIF deed number 23913 or TIIF dedication number 24195.

4.2 Utilities Authority Parcel A

Review of vesting deeds from the 2007 public records search provided by FPRA along with Cardno TBE's research indicated no TIIF deeds, dedications, reverter clause or other encumbrances associated with this parcel.

4.3 Utilities Authority Parcel B

Review of vesting deeds from the 2007 public records search provided by FPRA along with Cardno TBE's research revealed TIIF deed number 20807. The City of Ft. Pierce purchased 6.9 acres more or less from the Trustees of the Internal Trust Fund of the State of Florida for

\$690.00 in December 1954. This parcel appears to be contained within the purchased property (Figure 5). TIF deed number 20807 contains no reverter clause.

5.0 Conclusion

Cardno TBE's research and review of the documents provided by the FPRA indicates the following:

- Parcel 1 - TIF deeds were identified associated with portions of the site; however, no reverter clauses apply to any portion of the site owned by the FPRA.
- Utility Authority parcel A – No TIF deeds or reverter clauses were identified associated with this site.
- Utility Authority parcel B – A TIF deed was identified with this parcel; however, no reverter clauses were identified.

6.0 Recommendations

Cardno TBE recommends providing FDEP the findings of this investigation along with copies of the supporting documentation required to receive FDEP's concurrence with the determination on the non-applicability of TIF reverter clauses associated with the FPRA portion of Parcel 1, UA Parcel A or UA Parcel B.

Cardno TBE further recommends requesting FDEP concurrence on the non-applicability of TIF reverter clauses associated with the City owned Utility easement portion of Parcel 1.

Figures

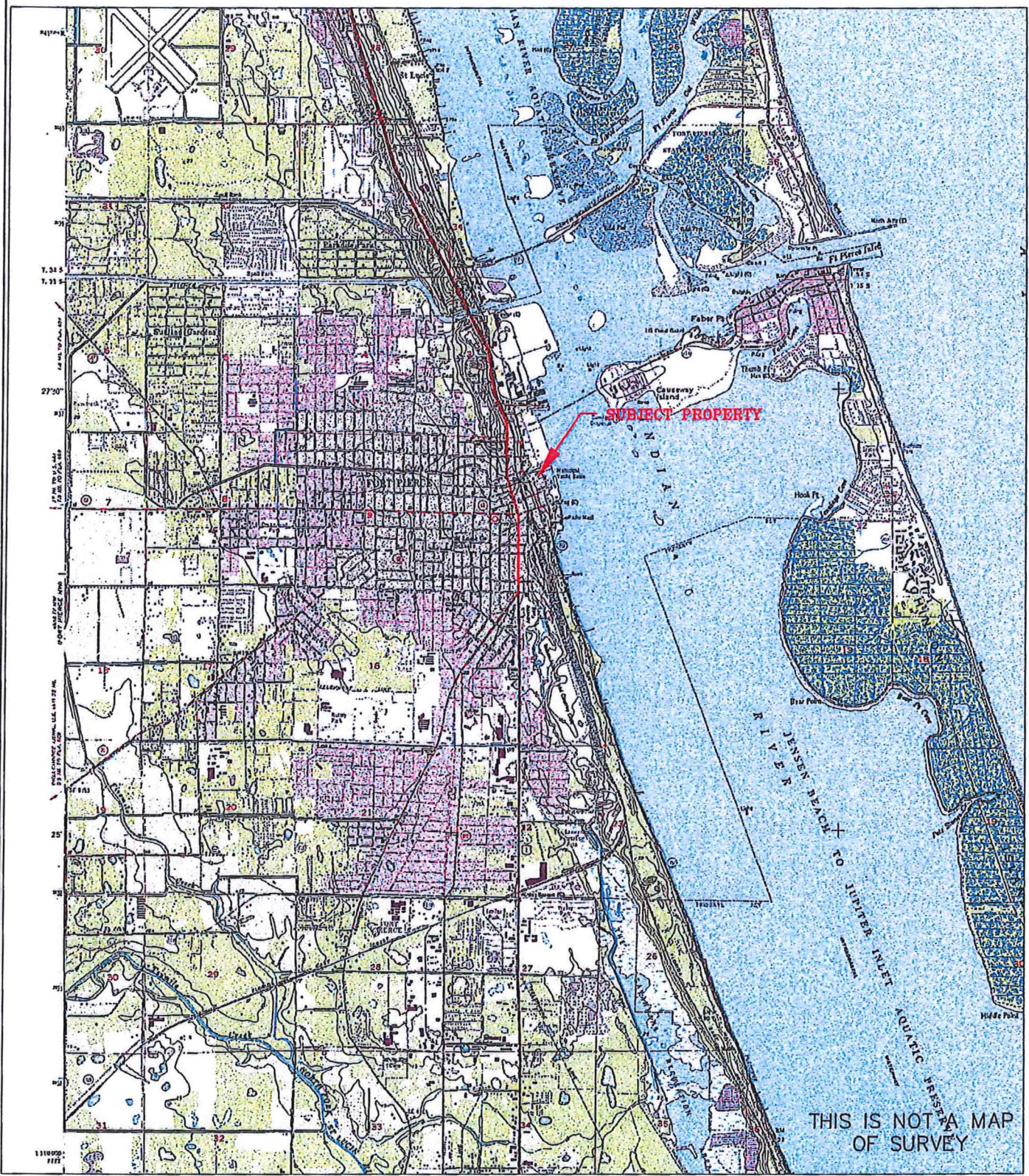
Figure 1 – Site Location

Figure 2 – Parcel Layout Map

Figure 3 – TIIF Deed Number 24195 Map

Figure 4 – TIIF Dedication Number 24195 Map

Figure 5 – TIIF Deed Number 20807 Map



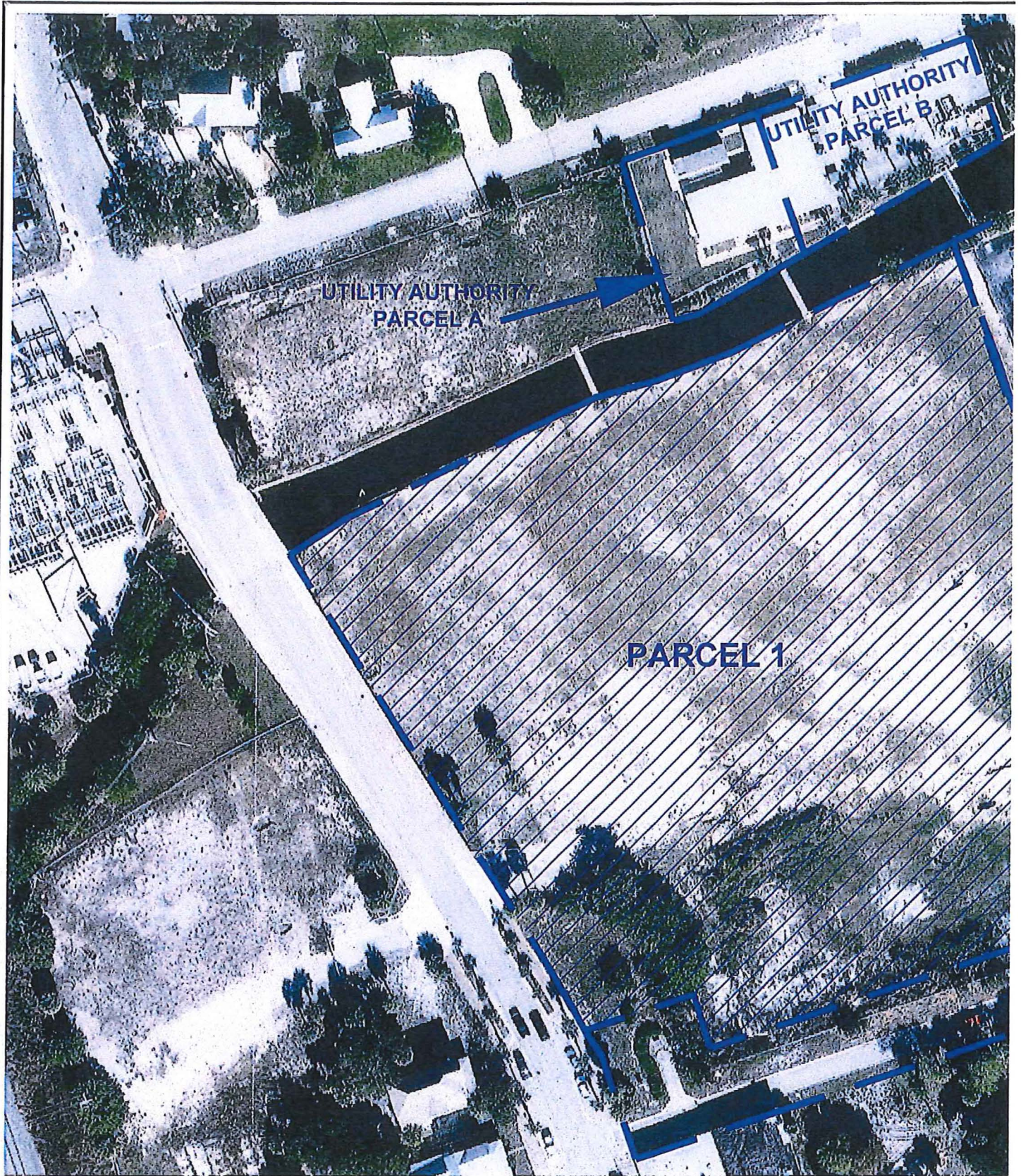
THIS IS NOT A MAP OF SURVEY

Cardno
TBE
 350 Park Place Blvd., Suite 300, Clearwater, Florida 33769
 www.cardnoba.com • 727.531.3505
 Certificate of Authorization No. 3543



FORMER HD KING POWER PLANT - PARCEL #1
322 NORTH 22ND STREET
FT. PIERCE, FL

FIGURE 1
SITE LOCATION



NO.	DESCRIPTION	BY	DATE

**CITY OF FORT PIERCE
AND
TCRPC**

H.D. KING POWER PLAN'



Map Direct: Division of State Lands Land Records (BTLDS) Em Map

27°27'10.2691", -80°19'39.2000"

Scale 1:5,288

27°27'9.3208", -80°19'39.2000"



27°26'45.7909", -80°19'40.0208"

1 inch = 441 feet

27°26'44.8426", -80°19'40.0208"

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 27 Aug 2013 17:15:02 UTC is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

NO.	DESCRIPTION	BY	DATE

**CITY OF FORT PIERCE
AND
TCRPC**

H.D. KING POWER PLANT



Map Direct: Division of State Lands Land Records (BTLDS) En Map

27°27'7.2762", -80°19'33.0254"

Scale 1:2,644

27°27'6.8021", -8



27°26'55.0371", -80°19'33.4360"

1 inch = 220 feet

27°26'54.5630", -8

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NO.	DESCRIPTION	BY	DATE

**CITY OF FORT PIERCE
AND
TCRPC**

H.D. KING POWER PLANT

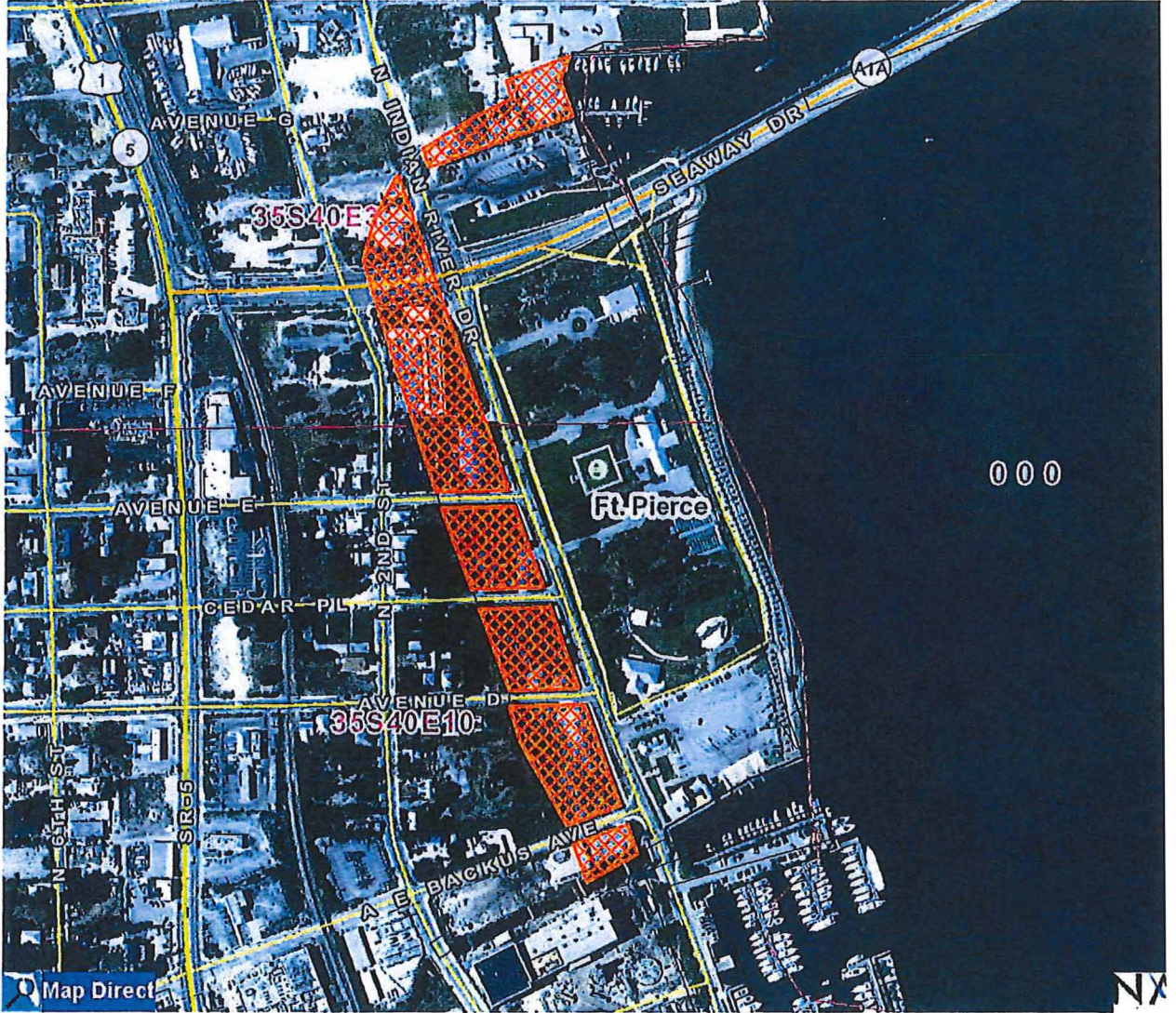


Map Direct: Division of State Lands Land Records (BTLDS) En Map

27°27'25.7479", -80°19'42.4351"

Scale 1:5,288

27°27'24.7998", -



27°27'1.2696", -80°19'43.2557"

1 inch = 441 feet

27°27'0.3216", -80

Florida Department of Environmental Protection Disclaimer: This map created in Map Direct on Tue, 27 Aug 2013 17:41:37 UTC is intended for display purposes only. It was created using data from different sources collected at different scales, with different levels of accuracy, and/or covering different periods of time. NAVTEQ road data is provided "AS IS" and without warranties of any kind, either express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, satisfactory quality and non-infringement. YOU SHOULD THEREFORE VERIFY ANY INFORMATION OBTAINED FROM THE SITE BEFORE ACTING ON IT.

NO.	DESCRIPTION	BY	DATE

**CITY OF FORT PIERCE
AND
TCRPC**

H.D. KING POWER PLANT

Appendices

Appendix A – Topographic and Boundary Survey

Appendix B – TIIF Dedication 24195

Appendix C – TIIF Dedication 24195 Modification

Appendix D – TIIF Deed 23913

Appendix E – TIIF Deed 20807

of the lands herein described; from said P.O.B. continue North 60° 35½' East, 150.75 feet; thence North 66° 28½' East, 103.1 feet; thence North 14° 15½' West, 46.1 feet to the face of an existing wood bulkhead; thence North 70° 22½' East along said bulkhead 171.4 feet; thence South 25° 59½' West, 63.3 feet; thence South 18° 25½' East, 95.5 feet; thence South 72° 31½' West, 381.5 feet; thence North 18° 25½' West, 47.5 feet to the P.O.B.

Both parcels containing, excluding the street exceptions, 6.9 acres, more or less.

TO HAVE AND TO HOLD the above granted and described premises forever,

SAVING AND RESERVING unto the said Trustees of the Internal Improvement Fund of the State of Florida, and their successors, title to an undivided three-fourths of all phosphate, minerals and metals and title to an undivided one-half of all petroleum that may be in, on or under the above described land, with the privilege to mine and develop the same.

OTHER RESERVATIONS: None

IN TESTIMONY WHEREOF, the said Trustees have hereunto subscribed their names and affixed their seal and have caused the seal of THE DEPARTMENT OF AGRICULTURE OF THE STATE OF FLORIDA to be hereunto affixed, at the Capitol, in the City of Tallahassee, on this the 2nd day of December, A. D. 1954.

Charley E. Johns (SEAL)
Acting Governor

C. M. Gay (SEAL)
Comptroller

J. Edwin Larson (SEAL)
Treasurer

(SEAL)
Trustees I. I. Fund

Richard W. Ervin (SEAL)
Attorney General

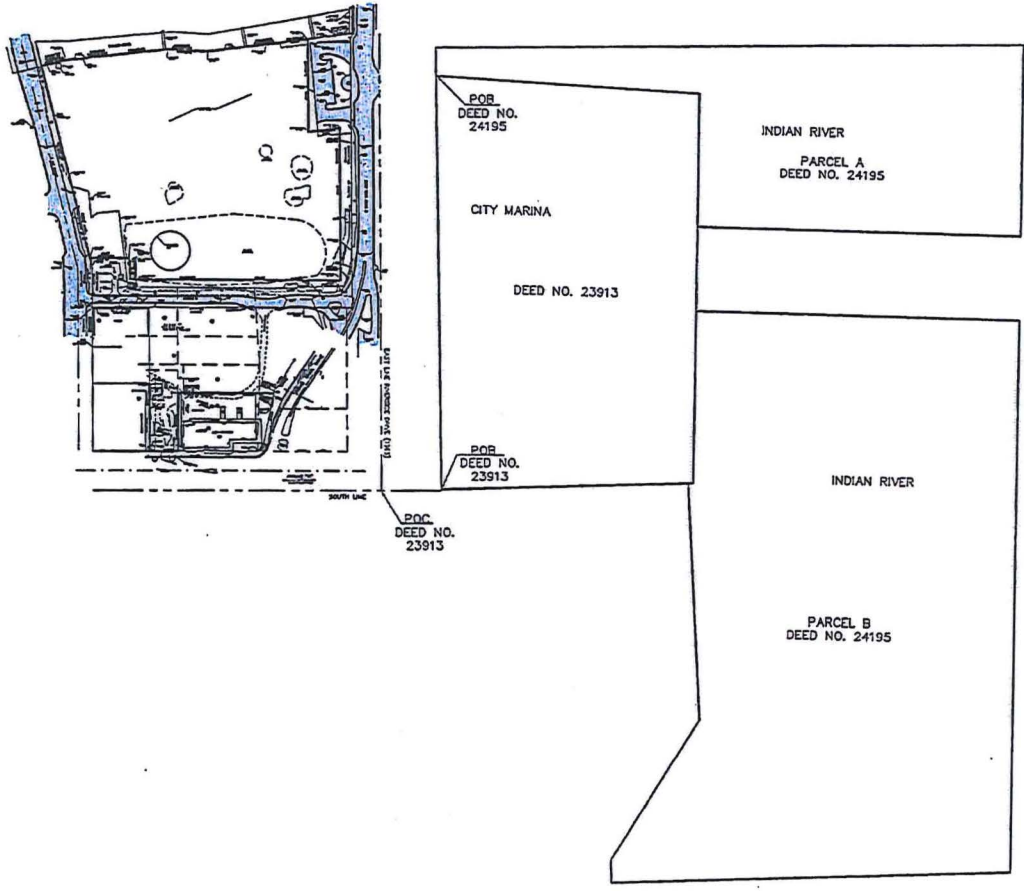
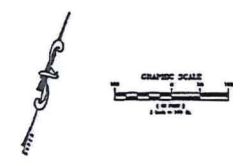
Nathan Mayo (SEAL)
Commissioner of Agriculture

(SEAL)
Dept. of Agriculture

Sent to
Errol S. Willes, Mayor
City of Fort Pierce, Florida
December 8th, 1954

As and Composing the Trustees of
the Internal Improvement Fund of
the State of Florida.

Attachment A
Topographic and Boundary Survey



LEGEND

- C DENOTES CENTERLINE
- (M) DENOTES FIELD MEASUREMENTS
- (D) DENOTES DEED DATA
- FD DENOTES FILING
- LB DENOTES LICENSED BUSINESS
- DENOTES FIRE HYDRANT
- DENOTES STREET LIGHT
- PLS DENOTES PROFESSIONAL LAND SURVEYOR
- IP DENOTES IRON PIPE
- R DENOTES IRON ROD
- CONC DENOTES CONCRETE
- IRAC DENOTES 1/4" IRON ROD & CAP
- ORB DENOTES OFFICIAL RECORDS BOOK
- NA DENOTES NUMBER
- ⊙ DENOTES STORM MANHOLE
- PK&D DENOTES P.K. NAIL AND DISK
- NO ID DENOTES NO IDENTIFICATION NUMBER
- ⊙ DENOTES SANITARY MANHOLE
- ⊙ DENOTES WATER VALVE
- ⊙ DENOTES ELEVATION (TYPICAL)
- ⊙ DENOTES WATER METER
- POC DENOTES POINT OF COMMENCEMENT
- POB DENOTES POINT OF BEGINNING

MICHAEL E. KILBROCK
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO. 3858

SIGNATURE DATE

COMPUTER FILE #	FIELD BK./PS.

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
3885 SOUTH 26th AVENUE - SUITE 100 PALM BEACH, FLORIDA 33409
PHONE: 561-842-1111 FAX: 561-842-1112
WWW.CULPEPPER-TERPENING.COM

- REVISIONS -

BY	DATE

FILED	BY	DATE
FILED	DP/CA	4-25-13
CALC.		
DRAWN	SN	4-1-13
CHECKED		
APPROVED		

SUBMERGED LAND EXHIBIT

PREPARED FOR
CITY OF FT. PIERCE, FLORIDA

DATE: 4-1-2013
HORIZ. SCALE: 1"=100'
VERT. SCALE: N/A
JOB No. 13-071
SHEET 2 of 2

Attachment B

TIIF Dedication 24195

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
OF THE STATE OF FLORIDA

DEDICATION

NO. 24195

KNOW ALL MEN BY THESE PRESENTS: That the Trustees of the Internal Improvement Fund of the State of Florida, in pursuance of application made by the CITY OF FORT PIERCE, a municipal corporation of the State of Florida, by Resolution No. 66-3 adopted January 5, 1966, for dedication of the lands hereinafter described for public municipal purposes, approved by said Trustees on January 25, 1966, have dedicated, and by these presents do hereby dedicate the following described lands in ST. LUCIE COUNTY Florida, to-wit:

Two tracts of submerged land in the Indian River in Section 10, Township 35 South, Range 40 East, St. Lucie County, Florida, more particularly described as follows:

PARCEL "A" - Starting at a Point of Beginning at the Northwest corner of property deeded to the City of Fort Pierce, Florida by the Internal Improvement Board in Deed No. 23913 and which deed is recorded in the St. Lucie County Records Deed Book 109, page 297, proceed on a bearing of North 18° 53' West, a distance of 50 feet more or less to a point; thence proceed on a bearing of North 71° 07' East, a distance of 1032 feet to a point; thence proceed on a bearing of South 17° 16' East, a distance of 345 feet to a point of intersection with the North property line of land deeded to the City by Mildred L. Faber, et al, and which deed is recorded in Deed Book 88, page 465, St. Lucie County Records. Thence proceed on said North property line in a westerly direction a distance of 560 feet more or less to a point of intersection with the East boundary of land previously mentioned as being deeded to the City from the Internal Improvement Board; thence proceed on a bearing of North 17° 16' West along said East boundary a distance of 240 feet more or less to a point of intersection with the North boundary of said land deeded to the City by the Internal Improvement Board; thence proceed on a bearing of South 75° 22' 30" West along said North boundary a distance of 463 feet more or less to the Point of Beginning.

PARCEL "B" - Starting at a point of beginning at the intersection of the South right of way line of Atlantic Avenue extended and the bulkhead line, proceed on said extension a distance of 700 feet more or less to a point; thence proceed on a bearing of North 17° 16' West a distance of 985 feet more or less to the South boundary of submerged land as deeded to the City of Fort Pierce, Florida from Mildred L. Faber, et al, as in Deed Book 88, page 465; thence proceed along said South boundary in a westerly direction a distance of 560 feet more or less to the Easterly boundary of City owned land as deeded to the City from the Internal Improvement Board Deed No. 23913.

From said point proceed on a bearing of South 17° 16' East along said East boundary 320 feet more or less to the intersection of the South right of way line of Avenue A extended and said East boundary; thence proceed on a bearing of South 70° 01' West a distance of 8 feet more or less along the South right of way of Avenue A extended to its intersection with the bulkhead line as established by City Ordinance No. D-185; thence proceed in a southerly direction along said bulkhead line on a bearing of South 20° 52' 19" East a distance of 410 feet more or less to the intersection of the North right of way line of Orange Avenue extended and said bulkhead line; thence proceed in a southwesterly direction along said bulkhead line a distance of 260 feet more or less to the intersection of said bulkhead line with the north line of Atlantic Avenue extended; thence proceed along said bulkhead a distance of 40 feet to the Point of Beginning.

The above described lands shall be used for municipal marina and recreational purposes or any combination thereof only, under the supervision and management of the City of Fort Pierce, it being agreed and understood that the municipal marina and recreational purposes for which this land is hereby dedicated shall include, but not necessarily be limited, to the following: a municipal marina and complex, including docks, moorings, wharves, launching and dry-docking facilities, parking area, seaquarium, facilities for sports programs, including aquatic sports, buildings, motels, boatels, restaurants, facilities for the sale and/or leasing of fishing and aquatic equipment, supplies, gasoline or fuel, including sanitary facilities necessary or desirable for the construction, operation and maintenance of the same, along with food service facilities of all types. Also, grantee named herein is authorized to grant concessions and leases for said facilities built or to be built on said land in whole or in part for a period of time not in excess of thirty (30) years, subject to the formal approval of the Trustees, all concessions and leases to provide for strict regulation and control by grantee herein and to include a reverter clause to provide for reverter to grantee of all improvements upon termination of the concession or lease agreement, subject to the following provisions, to-wit:

In the event the said CITY OF FORT PIERCE shall, (1) for a period of three consecutive years fail and neglect to maintain and use said land for said purposes, or (2) use said land for purposes other than public municipal purposes, the dedication

hereby made shall, at the option of said Trustees, be subject to termination upon sixty days notice in writing by the Trustees to said City.

IN TESTIMONY WHEREOF, the said Trustees of the Internal Improvement Fund of the State of Florida have hereunto subscribed their names and have caused the official seal of said Trustees to be hereunto affixed, in the City of Tallahassee, Florida, on this the 27th day of January, A. D. 1966.

Haydon Burns
Governor

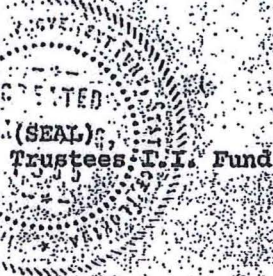
Frank Dickinson
Comptroller

Howard Williams
Treasurer

Earl Faircloth
Attorney General

Desk Conner
Commissioner of Agriculture

As and Constituting the Trustees,
of the Internal Improvement Fund
of the State of Florida.



Attachment C
TIF Dedication 24195 Modification

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
OF THE STATE OF FLORIDA

MODIFICATION OF DEDICATION

No. 24195 (Modified)-A

WHEREAS, the Trustees of the Internal Improvement Fund of the State of Florida on January 25, 1966, by instrument #24195, recorded in OR Book 139, page 471, of the public records of St. Lucie County, Florida, dedicated to the City of Fort Pierce, a municipal corporation of the State of Florida, two tracts of submerged land located in Section 10, Township 35 South, Range 40 East, St. Lucie County, Florida, for municipal marina and recreational purposes only, and

WHEREAS, one condition of said dedication requires that it would be subject to termination by the Trustees in the event the City of Fort Pierce fails to maintain and use said land for municipal marina and recreational purposes for a period of three consecutive years from and after January 25, 1966, and

WHEREAS, the City of Fort Pierce advises that it has been actively engaged in a rebuilding and modernization program of its existing marina property which is due for completion in 1969, and

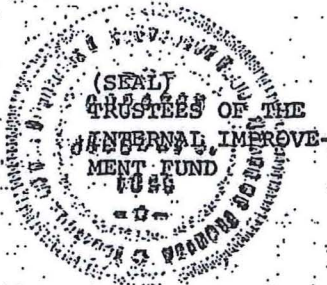
WHEREAS, the City of Fort Pierce further advises that upon completion in 1969 of its present marina rebuilding program the City plans to commence work on said dedicated area which is located adjacent to its present marina and therefore requests an extension of three additional years in which to comply with the provisions requiring use and maintenance of the land dedicated in above referred to dedication;

NOW, THEREFORE, the Trustees of the Internal Improvement Fund at their meeting on October 15, 1968, in consideration of the good faith showing of the City in its present marina

24195-A

improvement project, did authorize said Dedication No. 24195 to be amended by extending the time within which the City of Fort Pierce shall maintain and use those certain lands described in said dedication for an additional three (3) year period ending on January 25, 1972.

IN TESTIMONY WHEREOF, the said Trustees of the Internal Improvement Fund of the State of Florida have hereunto subscribed their names and have caused the official seal of said Trustees to be hereunto affixed, in the City of Tallahassee, Florida, on this the 23rd day of October, A. D. 1968.



Claude R. Kirk
Governor

John A. Lewis
Secretary of State

Earl Faircloth
Attorney General

Robert T. ...
Comptroller

Monrad Williams
Treasurer

W. J. ...
Superintendent of Public Instruction

Jack ...
Commissioner of Agriculture

As and constituting the Trustees of the Internal Improvement Fund of the State of Florida

Attachment D
TIF Deed 23913

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
OF THE STATE OF FLORIDA

DEED NO. 23913

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, the Trustees of the Internal Improvement Fund of the State of Florida, under authority of law, for and in consideration of the sum of One Hundred Fifty and 00/100 Dollars, (\$150.00), to them in hand paid by the CITY OF FORT PIERCE, a municipal corporation of the State of Florida, have granted, bargained and sold, and do by these presents grant, bargain, sell and convey, subject to the provisions hereinafter set forth, unto the said CITY OF FORT PIERCE, the following described lands, to-wit:

A parcel of submerged land in the Indian River in Section 10, Township 35 South, Range 40 East, St. Lucie County, Florida, more particularly described as follows:

From the point of intersection of the south line of Avenue "A" and the east line of Riverside Drive, as now located in the City of Fort Pierce, Florida, run in an easterly direction along the said south line of Avenue "A", a distance of 105.0 feet to the mean high water mark of the Indian River for the Point of Beginning; thence North 18° 53' West along said mean high water mark, a distance of 740.0 feet; thence North 75° 22' 30" East, a distance of 463.0 feet; thence South 17° 16' East, a distance of 695.0 feet; thence South 70° 01' West, a distance of 440.0 feet, more or less, to the Point of Beginning; containing 7.0 acres, more or less.

THIS CONVEYANCE is made subject to the following provisions:

(1) That said premises shall be used for public purposes only under the supervision of the City of Fort Pierce, Florida, and in the event of non-use of said premises for three (3) consecutive years, title to said premises shall, at the option of the Trustees of the Internal Improvement Fund of the State of Florida, revert to said Trustees or their successors in office.

(2) SAVING AND RESERVING unto the said Trustees of the Internal Improvement Fund of the State of Florida, and their successors, title to an undivided three-fourths of all phosphate, minerals and metals, and title to an undivided one-half of all petroleum that may be in, on or under the above described land, with the privilege to mine and develop the same.

TO HAVE AND TO HOLD said premises, subject to the aforesaid provisions and reservation, unto said City of Fort Pierce, forever.

IN TESTIMONY WHEREOF, the said Trustees of the Internal Improvement Fund of the State of Florida have hereunto subscribed their names and have caused the official seal of said Trustees to be hereunto affixed, in the City of Tallahassee, Florida, on this the 22nd day of January, A. D. 1965.



Wayland Dunn
Governor

Ray E. Mee
Comptroller

Edwin Larson
Treasurer

Earl Faircloth
Attorney General

Jack Connor
Commissioner of Agriculture

As and Constituting the Trustees of the Internal Improvement Fund of the State of Florida.

Attachment E
TIF Deed 20807

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
OF THE STATE OF FLORIDA

DEED NO. 20807

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, the Trustees of the Internal Improvement Fund of the State of Florida, under authority of law, for and in consideration of the sum of Six Hundred Ninety and 00/100 Dollars, (\$690.00), to them in hand paid by THE CITY OF FORT PIERCE, of the County of St. Lucie, State of Florida, have granted, bargained and sold, and do by these presents grant, bargain, sell and convey; unto the said CITY OF FORT PIERCE and its successors and assigns, the following described lands, to-wit:

Two parcels of submerged land in the Indian River in Sections 3 and 10, Township 35 South, Range 40 East, St. Lucie County, Florida, more particularly described as follows:

Parcel No. 1: From the corner common to Sections 3, 4, 9 and 10, Township 35 South, Range 40 East in the City of Fort Pierce, St. Lucie County, Florida, run thence North $89^{\circ} 56\frac{1}{2}'$ East, 191.7 feet; thence South $0^{\circ} 03\frac{1}{2}'$ East, 211.2 feet; thence South $89^{\circ} 49\frac{1}{2}'$ East, 2,342.5 feet to a point on the west shore of Indian River and the P.O.B. of the lands herein described. From said P.O.B. meandering the said west shore of Indian River run thence North $16^{\circ} 50\frac{1}{2}'$ West, 326.0 feet; thence North $15^{\circ} 45\frac{1}{2}'$ West, 292.9 feet; thence North $15^{\circ} 56\frac{1}{2}'$ East, 103.9 feet; thence North $29^{\circ} 11\frac{1}{2}'$ East, 111.2 feet; thence North $43^{\circ} 51\frac{1}{2}'$ East, 12.3 feet to the west line of Indian River Drive; thence South $18^{\circ} 25\frac{1}{2}'$ East along said west line 1,794.2 feet to the northerly bankline of Moore's Creek extended easterly; thence South $75^{\circ} 18\frac{1}{2}'$ West along said northerly bankline 140.1 feet to the west shore of Indian River; thence meandering said west shore North $18^{\circ} 42\frac{1}{2}'$ West, 146.0 feet; thence North $28^{\circ} 14\frac{1}{2}'$ West, 235.9 feet; thence North $16^{\circ} 14\frac{1}{2}'$ West, 89.5 feet; thence North $1^{\circ} 23\frac{1}{2}'$ East, 40.0 feet; thence North $19^{\circ} 34\frac{1}{2}'$ West, 495.4 feet to the P.O.B. Excepting from the above described parcel the easterly extensions of Avenue C, Avenue D, Cedar Street and Avenue E of the City of Fort Pierce.

Parcel No. 2: From the corner common to Sections 3, 4, 9 and 10, Township 35 South, Range 40 East in the City of Fort Pierce, St. Lucie County, Florida, run thence North $89^{\circ} 56\frac{1}{2}'$ East, 191.7 feet; thence South $0^{\circ} 03\frac{1}{2}'$ East, 211.2 feet; thence South $89^{\circ} 49\frac{1}{2}'$ East, 2,342.5 feet to a point on the west shore of Indian River; thence meandering said west shore of Indian River North $16^{\circ} 50\frac{1}{2}'$ West, 326.0 feet; thence North $15^{\circ} 45\frac{1}{2}'$ West, 292.9 feet; thence North $15^{\circ} 56\frac{1}{2}'$ East, 103.9 feet; thence North $29^{\circ} 11\frac{1}{2}'$ East, 111.2 feet; thence North $43^{\circ} 51\frac{1}{2}'$ East, 95.7 feet; thence North $60^{\circ} 35\frac{1}{2}'$ East, 6.35 feet to the P.O.B.