

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	MIKE MOORE'S SERVICE GARAGE RIGHT-OF-WAY DEDICATION AP-97-09	TYPE AGENDA ITEM	CONSENT
DATE REQUESTED	JANUARY 6, 1998	DATE SUBMITTED	DECEMBER 24, 1997/DECEMBER 30, 1997
BRIEFINGS?	N/A	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/OFFICE DIVISION	TRANSPORTATION LAND ACQUISITION	AUTHORIZED BY TITLE	LARRY R MAU, P.E. <i>Larry R Mau</i> TRANSPORTATION DIRECTOR <i>for Larry R Mau</i>
CONTACT PERSON TELEPHONE/EXTENSION	JIM STAPLES 5007	PRESENTER TELEPHONE/EXTENSION	JIM STAPLES, LAND ACQUISITION, MANAGER 5007 <i>Jim Staples</i>
ADMINISTRATIVE APPROVAL	<i>[Signature]</i>		

INDICATE WHETHER "REPORT," "DISCUSSION," or "FORM OF MOTION" or "OTHER ACTION" REQUIRED:

ACCEPTANCE OF, AUTHORIZATION TO RECORD, A RIGHT-OF-WAY EASEMENT FROM MICHAEL D. MOORE, SR., REQUIRED FOR ADDITIONAL RIGHT-OF-WAY FOR A PROPOSED STREET LIGHTING PROJECT ON 14TH STREET WEST/US 41.

ACCEPTANCE OF, AUTHORIZATION TO RECORD, JOINDER FROM FIRST NATIONAL BANK OF MANATEE.

AUTHORIZATION TO RECORD AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES FROM MICHAEL D. MOORE, SR.

ENABLING/REGULATING AUTHORITY: (Federal and/or state laws[s], administrative ruling[s], Manatee Comp Plan, Land Development Code, ordinance[s], resolutions, and/or County policy)
COMP PLAN - 5.1 ADDRESSES THE SAFETY AND EFFICIENCY OF FORECASTED VEHICULAR TRAVEL DEMANDS

BACKGROUND/DISCUSSION:

- THE FINAL SITE PLAN FOR MIKE MOORE'S SERVICE GARAGE, APPROVED OCTOBER 17, 1997, REQUIRED AN ADDITIONAL 10 FEET OF RIGHT-OF-WAY ON 14TH STREET WEST/US 41, FOR A PROPOSED STREET LIGHTING PROJECT.
- THE RIGHT-OF-WAY WAS ACQUIRED BY DONATION AND THE CONVEYANCE DOCUMENTS ARE HEREBY PRESENTED TO THE BCC FOR ACCEPTANCE AND RECORDING.

HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED? Please indicate "N/A", "NO" or "YES." NO

IF N/A OR NO, PLEASE EXPLAIN:

PROCEDURE PREVIOUSLY APPROVED BY THE COUNTY ATTORNEY'S OFFICE.

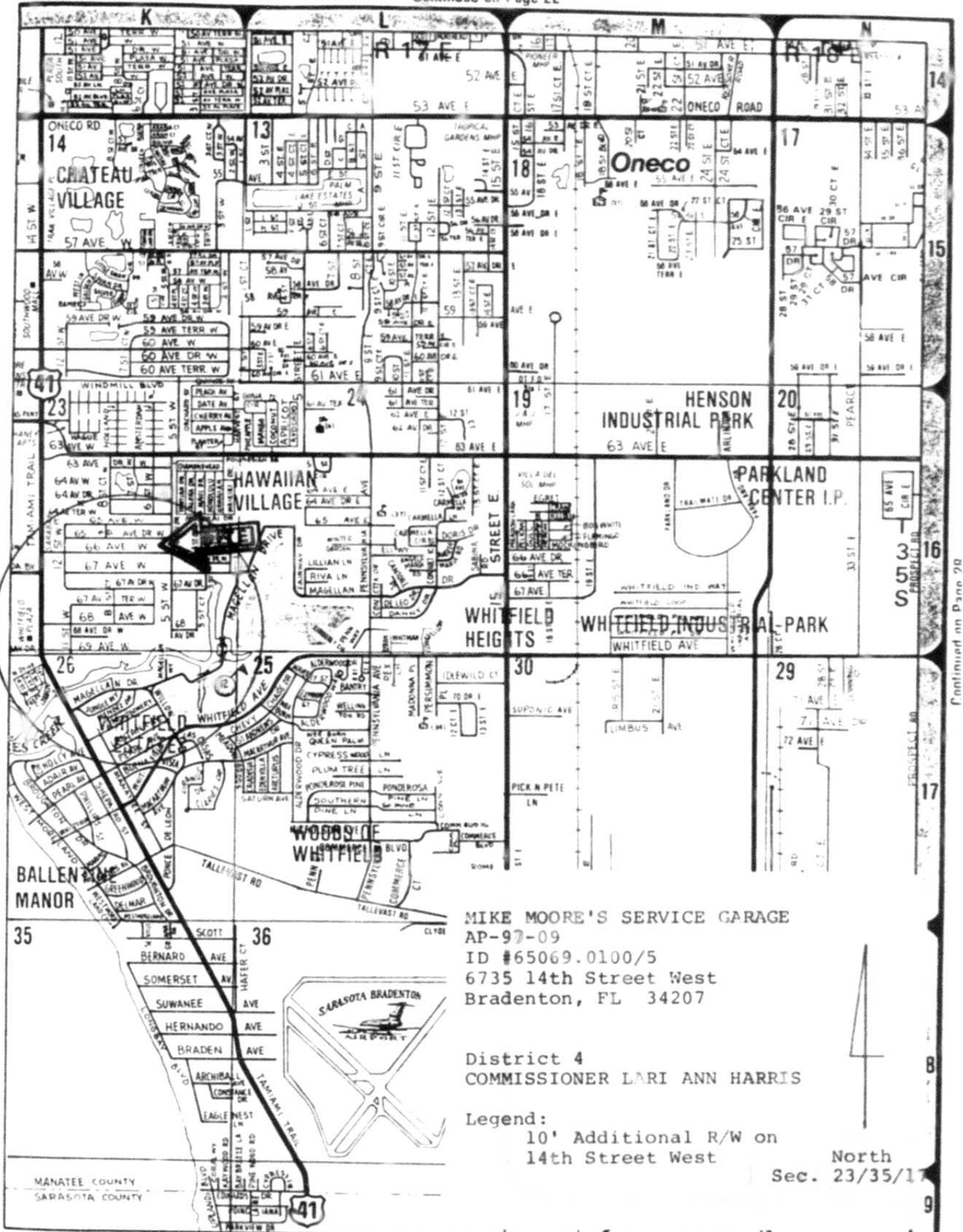
IF A CONTRACT, AGREEMENT, LEASE OR OTHER DOCUMENT IS SAME AS APPROVED IN PREVIOUS YEARS, STATE YEAR OF LAST USE. N/A

- IF "YES,"
- 1) HAS ENTIRE MATTER, OR ONLY A PORTION, BEEN REVIEWED BY THE COUNTY ATTORNEY'S OFFICE?
 - 2) HAVE ALL COMMENTS/SUGGESTIONS BEEN ADDRESSED/INCORPORATED; IF NOT, PLEASE EXPLAIN.
 - 3) ATTACH COPY OF FINAL MEMORANDUM OF THE COUNTY ATTORNEY'S OFFICE RELATED TO THIS MATTER.

<p>ATTACHMENTS:</p> <ol style="list-style-type: none"> ✓ 1) RIGHT-OF-WAY EASEMENT ✓ 2) JOINDER ✓ 3) AFFIDAVIT ✓ 4) FLORIDA REVENUE FORM ✓ 5) LOCATION MAP 	<p>INSTRUCTIONS TO BOARD RECORDS:</p> <p>RETURN RECORDED COPIES TO LAND ACQUISITION, TRANSPORTATION DEPARTMENT CCC CHARGE ACCOUNT #190-133011 TRANSPORTATION DEPARTMENT</p>		
COST	\$32 RECORDING FEE	SOURCE (ACCT# & NAME)	101-468000-541320-00000 LAND ACQUISITION'S CORE
COMMENTS	N/A	FISCAL IMPACT STATEMENT	N/A
		RECURRING COSTS FREQUENCY OF OCCURRENCE	N/A

JAN 06 1998

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



MIKE MOORE'S SERVICE GARAGE
 AP-97-09
 ID #65069.0100/5
 6735 14th Street West
 Bradenton, FL 34207

District 4
 COMMISSIONER LARI ANN HARRIS

Legend:
 10' Additional R/W on
 14th Street West

North
 Sec. 23/35/1

This instrument prepared by
Jim Staples, Manager, Land Acquisition
Transportation Department
P.O. Box 1000
Bradenton, Florida 34206

BK 1540 PG 7773 DKT# 1079790 1 of 2

Mike Moore's Service Garage
AP 97-09
ID #65069.0100/5

SPACE ABOVE THIS LINE FOR RECORDING DATA

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF FLORIDA
COUNTY OF MANATEE

BEFORE ME, the undersigned authority, this day personally appeared **MICHAEL D. MOORE, SR.**, whose mailing address is: 6735 14th Street West, Bradenton, Florida 34207, who being first duly sworn, deposes and says:

1. That the undersigned, hereinafter called the Grantor, is the owner of and has full authority to sell or encumber the following described property, (hereinafter "Property")

See legal description identified as Exhibit "A" attached hereto.

2. That the Owner plans to convey the Property to the **COUNTY OF MANATEE** whose principal office is at 1112 Manatee Avenue West, Post Office Box 1000, Bradenton, Florida 34206 (hereinafter "Grantee")

3. To the best of my knowledge the only mortgages, liens, encumbrances, including but not limited to any leasehold interest or potential claims against the Property are.

Mortgage held by FIRST NATIONAL BANK OF MANATEE, recorded in Official Records Book 1530, Page 6358, Public Records of Manatee County, Florida.

4. That there has been no labor, material, or service furnished for improvement of the Property, which remains unpaid, except as set forth in paragraph 3 of this affidavit.

5. That there are no claims, demands, liens or judgments outstanding against the above described property and the Grantor is not indebted to anyone for any such Property, except as set forth in paragraph 3 of this affidavit.

6. That the Grantor makes this affidavit for the purpose of assisting the Grantee in the acquisition of the above described property

Michael D. Moore Sr.

MICHAEL D. MOORE, SR., Grantor

JAN 06 1997

ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

SWORN to and subscribed before me this 13th day of Nov., 1997 by **MICHAEL D. MOORE, SR.**, who is personally known to me or who has produced _____ as identification.

Evelyn Paster

NOTARY PUBLIC Signature

EVELYN PASTER

Printed Name

OFFICIAL NOTARY SEAL
EVELYN PASTER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC536855
MY COMMISSION EXP. MAR. 11, 2000

EXHIBIT "A"

THE MOST WESTERLY 10 FEET OF THE FOLLOWING DESCRIBED PROPERTY:
ALL OF LOTS 4, 27, 28, 29 AND 30, BLOCK B, PENNSYLVANIA PARK
SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 3,
OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LESS THAT
PORTION CONVEYED TO STATE OF FLORIDA FOR HIGHWAY PURPOSES
PARTY OF THE SECOND PART SHALL NOT INFRINGE UPON OR DISTURB ANY
PREVIOUSLY GRANTED EASEMENT.

BK 1540 PG 7774 FILED AND RECORDED 01/14/98 9:00AM 2 OF 2
R.B. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL

JAN 06 1998

ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

This instrument prepared by:
Jim Staples, Manager, Land Acquisition
Transportation Department
P.O. Box 1000
Bradenton, Florida 34206

BK 1540 PG 7775 DKT# 1079791 1 of 2

Mike Moore's Service Garage
AP-97-09
ID #65069.0100/5

SPACE ABOVE THIS LINE FOR RECORDING DATA

JOINDER

WHEREAS, FIRST NATIONAL BANK OF MANATEE, whose mailing address is 5817 Manatee Avenue, West, Bradenton, Florida 34209, hereinafter referred to as the "Mortgagee" is the owner and holder of that certain mortgage dated the 24th day of September 1997, and recorded in Official Records Book 1530, Page 6358 of the Public Records of Manatee County, Florida, covering the hereinafter described real property, and

WHEREAS, Mortgagee hereby joins in the conveyance to **MANATEE COUNTY**, whose mailing address is P.O. Box 1000, Bradenton, Florida 34206 of the Easement and Right-of-Way of the following described real property located in Manatee County, Florida, to wit:

See legal description identified as Exhibit "A" attached hereto.

IN WITNESS WHEREOF, the Mortgagee has caused this Joinder to be duly executed this 14th day of November, 1997

Signed, sealed and delivered in the presence of

(CORPORATE SEAL)

FIRST NATIONAL BANK OF MANATEE
Corporation

BY: [Signature]
President Signature
Glen W. Pausset
Printed Name

ATTEST [Signature]
Secretary Signature Senior Vice President
Thomas L. Hodgson
Printed Name

[Signature]
Witness Signature
MARGARET C. DEES
Printed Name
[Signature]
Witness Signature
THOMAS J. LYNCH
Printed Name

(Signature of two witnesses or secretary required by law)

STATE OF FLORIDA
COUNTY OF MANATEE

ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY
JAN 06 1998

The foregoing instrument was acknowledged before me this 14th day of November, 1997 by Glen W. Pausset and Thomas L. Hodgson (name and title of agent) Of **FIRST NATIONAL BANK OF MANATEE**, a Florida (state or place of corporation) corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification

OFFICIAL NOTARY SEAL
MARGARET C. DEES
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC350369
MY COMMISSION EXP. FEB. 6, 1998

[Signature]
NOTARY PUBLIC Signature
MARGARET C. DEES
Printed Name

EXHIBIT "A"

THE MOST WESTERLY 10 FEET OF THE FOLLOWING DESCRIBED PROPERTY:
ALL OF LOTS 4, 27, 28, 29 AND 30, BLOCK B, PENNSYLVANIA PARK
SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 3,
OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LESS THAT
PORTION CONVEYED TO STATE OF FLORIDA FOR HIGHWAY PURPOSES.
PARTY OF THE SECOND PART SHALL NOT INFRINGE UPON OR DISTURB ANY
PREVIOUSLY GRANTED EASEMENT.

BK 1540 PG 7776 FILED AND RECORDED 01/14/98 9:00AM 2 of 2
R.R. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL

JAN 06 1998

ACCEPTED IN OPEN SESSION

BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

This instrument prepared by:
Jim Staples, Manager, Land Acquisition
Transportation Department
P.O. Box 1000
Bradenton, Florida 34206

BR 1540 PG 7777 INTH 1079792 1 of 2

Mike Moore's Service Garage
AP-97-09
ID #65069.0100/5

-----SPACE ABOVE THIS LINE FOR RECORDING DATA-----

RIGHT-OF-WAY EASEMENT

THIS INDENTURE, made this 13th day of Nov., 19 97 between **MICHAEL D. MOORE, SR.**, whose mailing address is: 6735 14th Street West, Bradenton, Florida 34207, party of the first part, and **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, whose principal office is at 1112 Manatee Avenue West, Post Office Box 1000, Bradenton, Florida 34206, party of the second part,

WITNESSETH

That said party of the first part, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does grant, bargain, sell and transfer unto party of the second part, **a right-of-way easement for road way purposes, pedestrian sidewalks, street lighting, underground and overhead utilities, and surface and underground drainage** across the following described property situate in the County of Manatee, State of Florida, more particularly described as follows:

See legal description identified as Exhibit "A" attached hereto.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behalf of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Evelyn Paster
Witness

EVELYN PASTER
Printed Name

Danita K. Ray
Witness

DANITA K. RAY
Printed Name

(Signature of two witnesses required by law)

Michael D. Moore, Sr. (Seal)
MICHAEL D. MOORE, SR.

STATE OF FLORIDA
COUNTY OF MANATEE

JAN 06 1998
ACCEPTED REGULAR SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

The foregoing instrument was acknowledged before me this 13th day of Nov., 19 97 by **MICHAEL D. MOORE, SR.** (who is personally known to me) or who has produced _____ as identification.

OFFICIAL NOTARY SEAL
EVELYN PASTER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC536855
MY COMMISSION EXP. MAR. 11, 2000

Evelyn Paster
NOTARY PUBLIC Signature
Evelyn Paster
Printed Name

EXHIBIT "A"

THE MOST WESTERLY 10 FEET OF THE FOLLOWING DESCRIBED PROPERTY:
ALL OF LOTS 4, 27, 28, 29 AND 30, BLOCK B, PENNSYLVANIA PARK
SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 3,
OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LESS THAT
PORTION CONVEYED TO STATE OF FLORIDA FOR HIGHWAY PURPOSES.
PARTY OF THE SECOND PART SHALL NOT INFRINGE UPON OR DISTURB ANY
PREVIOUSLY GRANTED EASEMENT.

DN 1540 PG 7778 FILED AND RECORDED 01/14/98 9:00AM 2 of 2
R.B. SMORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL

JAN 06 1998

ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY