



**MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT	Ridgewood Palms FSP-97-57/Genesis Communities, Inc. R/W Dedication - Mendoza Road	TYPE AGENDA ITEM	Consent
DATE REQUESTED	July 7, 1998	DATE SUBMITTED/REVISED	June 25, 1998
BRIEFING(S) WHO?	N/A	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Transportation/Land Acquisition	AUTHORIZED BY TITLE	Larry R. M., P.E. Transportation Director 
CONTACT PERSON TELEPHONE/EXTENSION	Jim Staples 5007	PRESENTER/TITLE TELEPHONE/EXTENSION	Jim Staples, Land Acquisition Manager 5007 

ADMINISTRATIVE APPROVAL



ACTION DESIRED

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

Acceptance of, authorization to record, Warranty Deed from Genesis Communities, Inc. required for additional right-of-way on Mendoza Road, west of Victory Road.

Authorization to record, Affidavit of Ownership and Encumbrances from J. Chris Scherer, President of Genesis Communities, Inc.

Authorization to record, Partial Release from Richard W. Baker, Trustee of the Roy M. Speer Trust, dated January 1, 1967.

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.)

Comp Plan - Goal 5.1 addresses the safety and efficiency of forecasted vehicular travel demands.
Land Development Code - Section 722.1.2 through 722.1.3.2 Standard and Design Criteria, and Section 909.1 Dedication

BACKGROUND/DISCUSSION

- The Final Site Plan for Ridgewood Palms, Phase II was approved on 05/15/98.
- An additional 17' of right-of-way was required on Mendoza Road for future road expansion and was acquired by donation.
- The conveyance documents are hereby presented for acceptance and recording.

HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED? Indicate "NO" or "YES" @ right. (If "NO," proceed to 1) below; and if "YES," proceed to 2) below) No

1) IF "NO" TO ABOVE.

A) PLEASE EXPLAIN BELOW: (see also following section 1B) re: contract, agreement, lease, etc.

Procedure previously approved by the County Attorney's Office

B) IF A CONTRACT, AGREEMENT, LEASE OR OTHER DOCUMENT WAS PREVIOUSLY APPROVED, STATE YEAR OF LAST USE @ RIGHT N/A

2) IF "YES" TO FIRST QUESTION IN THIS SECTION.

A) HAS ENTIRE MATTER, OR ONLY A PORTION, BEEN REVIEWED? IF ONLY A PORTION, WHICH PORTION?

B) HAVE ALL COMMENTS/SUGGESTIONS RAISED BY COUNTY ATTORNEY BEEN ADDRESSED/INCORPORATED, IF NOT, PLEASE EXPLAIN. A COPY OF FINAL COUNTY ATTORNEY MEMO RE THIS MATTER **MUST BE ATTACHED** (if comments were verbal, so indicate.)

ATTACHMENTS: (List in order as attached)

- 1) Warranty Deed
- 2) Affidavit
- 3) Partial Release
- 4) Florida Revenue Form
- 5) Location Map

INSTRUCTIONS TO BOARD RECORDS:

Return accepted and recorded copies to Land Acquisition, Transportation Department
CCC Charge Account #AR300005 Transportation

COST \$31.50 Recording Fee

SOURCE (ACCT# & NAME) 101-00118000 **APPROVED IN OPEN SESSION**

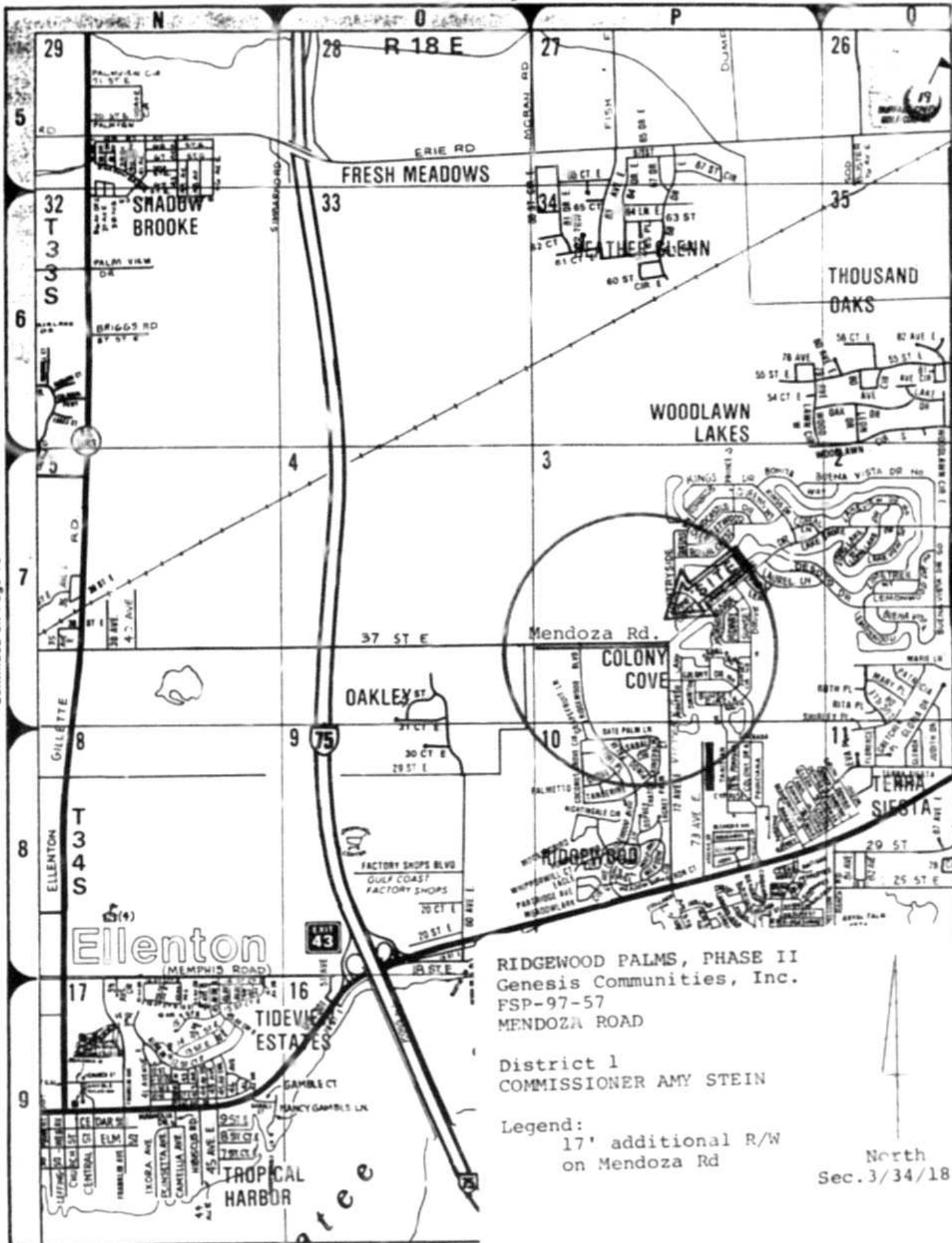
COMMENTS N/A

AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT) N/A

JUL 07 1998

Continued on Page 13

Continued on Page 15



RIDGEWOOD PALMS, PHASE II
 Genesis Communities, Inc.
 FSP-97-57
 MENDOZA ROAD

District 1
 COMMISSIONER AMY STEIN

Legend:
 17' additional R/W
 on Mendoza Rd

North
 Sec. 3/34/18

Warranty Deed From Corporation

Return to
Name:
Address:

BK 1561 PG 662 DKT# 1139593 1 of 2

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

Property Appraisers ID#: 8351.8000/1
Grantee(s) S.S.#(s):

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED made and executed the 22nd day of April A.D. 1998 by
GENESIS COMMUNITIES, INC. a corporation existing under the laws of Florida, and
having its principal place of business at 2210 DESTINY WAY STE 1, ODESSA FL 3356
hereinafter called the grantor, to COUNTY OF MANATEE, a political subdivision of the state of Florida, whose
post office address is P.O. Box 1000, Bradenton, Florida 34206 hereinafter called the grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns
of individuals, and the successors and assigns of corporations.)

WITNESSETH That the grantor, for and in consideration of the sum of \$1.00 and other valuable
considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise,
release, convey and confirm unto the grantee, all that certain land situate in Manatee County, State of Florida, viz:

See Exhibit "A" attached hereto.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise
appertaining

TO HAVE AND TO HOLD, the same in fee simple forever

AND the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple, that
it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land
and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all
encumbrances.

IN WITNESS WHEREOF the said grantor has caused these presents to be executed in its name, and its
corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above
written.

Signed, sealed and delivered
in the presence of:

(CORPORATE SEAL)

Genesis Communities, Inc.
Corporation

Rhonda Webb
Witness Signature
Rhonda Webb

BY: [Signature]
President Signature
J. Chris Scherer

Printed Name

Printed Name

William K. Scherer
Witness Signature
William K. Scherer

ATTEST: [Signature]
Secretary Signature
Renee Gaylor

Printed Name

Printed Name

(Signature of two witnesses or secretary required by law)

STATE OF Florida
COUNTY OF Pasco

The foregoing instrument was acknowledged before me this 22nd day of April, 1998 by
J. Chris Scherer (name and title of agent) of Genesis Communities, Inc.
(name of corporation acknowledging), a Florida (state or place of corporation) corporation, on behalf of the corporation. Who is
personally known to me or has produced _____ as identification.

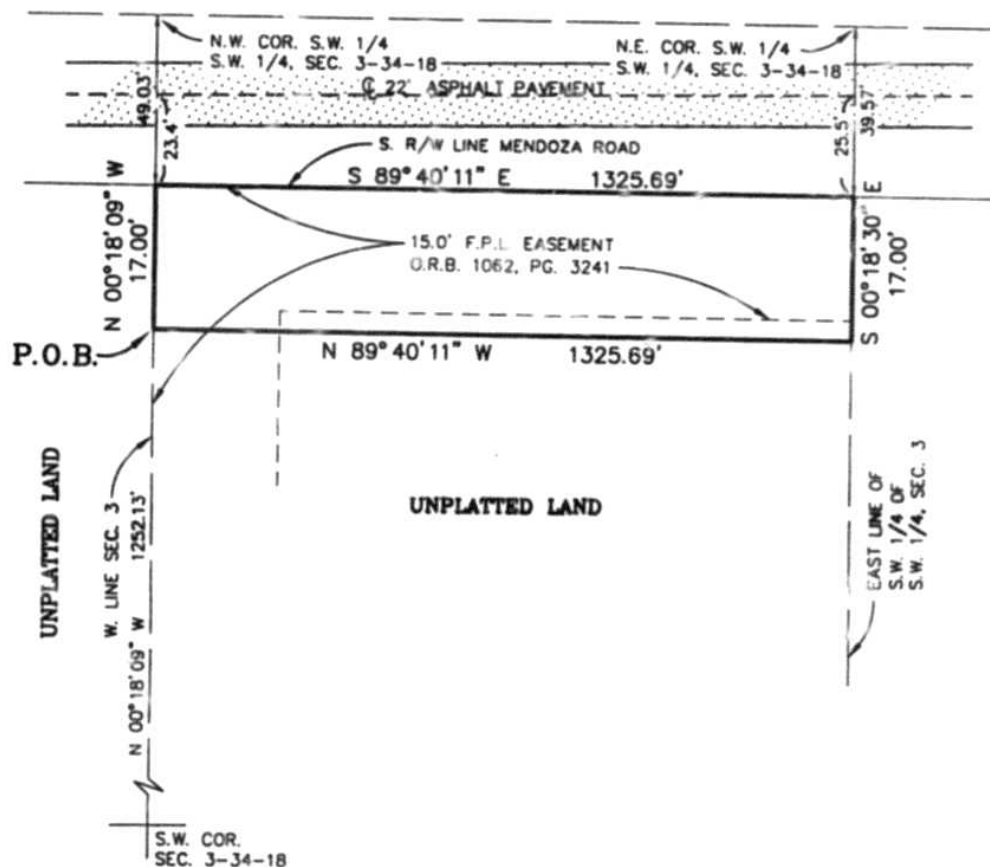
ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

JUL 07 1998

NOTARY PUBLIC
WANDA M. PERKINS
MY COMMISSION # DC 639033
EXPIRES: April 8, 2001
Printed Name

ENGINEERS, PLANNERS, SURVEYORS, LANDSCAPE ARCHITECTS & ENVIRONMENTAL CONSULTANTS
201 5th AVENUE DRIVE EAST, BRADENTON, FLORIDA 34206. (941)748-8080. FAX: (941)748-3747
CERTIFICATE OF AUTHORIZATION No. LB 2230

EXHIBIT "A"



FILED AND RECORDED 07/10/98 4:05PM
 P.B. SHEET 16 OF 17
 COUNTY MANATEE COUNTY FL

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 3, THENCE N 00°18'09" W, ALONG THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 1252.13 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 00°18'09" W, ALONG SAID WEST LINE, A DISTANCE OF 17.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF MENDOZA ROAD; THENCE S 89°40'11" E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1325.69 FEET TO THE EAST LINE OF THE S.W. 1/4 OF THE S.W. 1/4 OF SAID SECTION 3; THENCE S 00°18'30" E ALONG SAID EAST LINE, A DISTANCE OF 17.00 FEET; THENCE N 89°40'11" W, A DISTANCE OF 1325.69 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.517 ACRES, MORE OR LESS.

LEGEND

- COR. CORNER
- O.R.B. OFFICIAL RECORD BOOK
- PG. PAGE
- P.O.B. POINT OF BEGINNING
- R/W RIGHT OF WAY
- SEC. SECTION

NOT A BOUNDARY SURVEY

DESCRIPTION SKETCH
 OF A
RIGHT OF WAY
 LOCATED IN
SECTION 3, TOWNSHIP 34 S., RANGE 18 E.
MANATEE COUNTY, FLORIDA

NOTES:

1. BEARINGS ARE BASED ON THE SOUTH RIGHT OF WAY LINE OF MENDOZA ROAD, BEING S 89°40'11" E.
2. THIS SKETCH IS NOT INTENDED TO REPRESENT A SURVEY.
3. DESCRIPTION BASED ON A BOUNDARY SURVEY PREPARED BY ZOLLER, NAJJAR & SHROYER, INC. JOB No. 00-10620.
4. DRAWING NOT TO SCALE.

NOTE: THIS DESCRIPTION SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 61G17, FLORIDA ADMINISTRATIVE CODE.

BY: *J. N. Gatch, Jr.*
JAMES N. GATCH, JR. P.S.M.

FLORIDA CERTIFICATE No. LS 4295

DATE OF CERTIFICATION: 5/20/98

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JUL 07 1998

Partial Release Individual

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

86-T-01F
Genesis Communities, Inc
Ridgewood Palms
ID #8351 8000/1

BK 1561 PG 660 DKT# 1139592 1 of 2

PARTIAL RELEASE

WHEREAS, RICHARD W. BAKER, Trustee of the Roy M. Speer Trust, dated January 1, 1967 ("ENCUMBRANCER"), whose mailing address is 2535 SUCCESS DRIVE
ODESSA, FLA. 33556, is the holder of certain rights and interest in the real property described herein or attached hereto as Exhibit "A" (the "Property"), as well as other real property by virtue of a Mortgage (the "Instrument"), dated the 16th day of June, 1987, and recorded in Official Records Book 1188, Page 0931 of the Public Records of Manatee County, Florida, and

WHEREAS, the COUNTY OF MANATEE, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, in connection with the acquisition of the Property for a valid county and public purpose has requested the Encumbrancer to release the Property from the operation and effect of the Instrument.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration to the Encumbrancer in hand paid, the receipt of which is hereby acknowledged, the Encumbrancer does hereby release from the operation and effect of the Instrument and disclaim all right, title and interest in the following described real property located in Manatee County, Florida, to wit

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

Provided this partial release shall not impair the effect of the instrument on the remaining part of the premises referenced therein, not hereby released therefrom, or any of the rights or remedies of the Encumbrancer, or any subsequent holder or holders thereof

IN WITNESS WHEREOF, the Encumbrancer has caused this Partial Release to be duly executed this the 26th day of MAY, 1988

Signed, sealed and delivered in the presence of:

Sally Jackson
Witness

Sally Jackson
Printed Name

Beverly Thompson
Witness

BEVERLY Thompson
Printed Name

(Signature of two witnesses required by law)

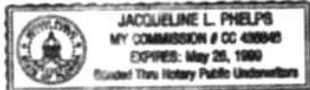
Richard W Baker Trustee (Seal)
RICHARD W. BAKER, Trustee

STATE OF Florida
COUNTY OF Pasco

The foregoing instrument was acknowledged before me this 26th day of May, 1988 by RICHARD W. BAKER, Trustee, who is personally known to me or who has produced _____ as identification.

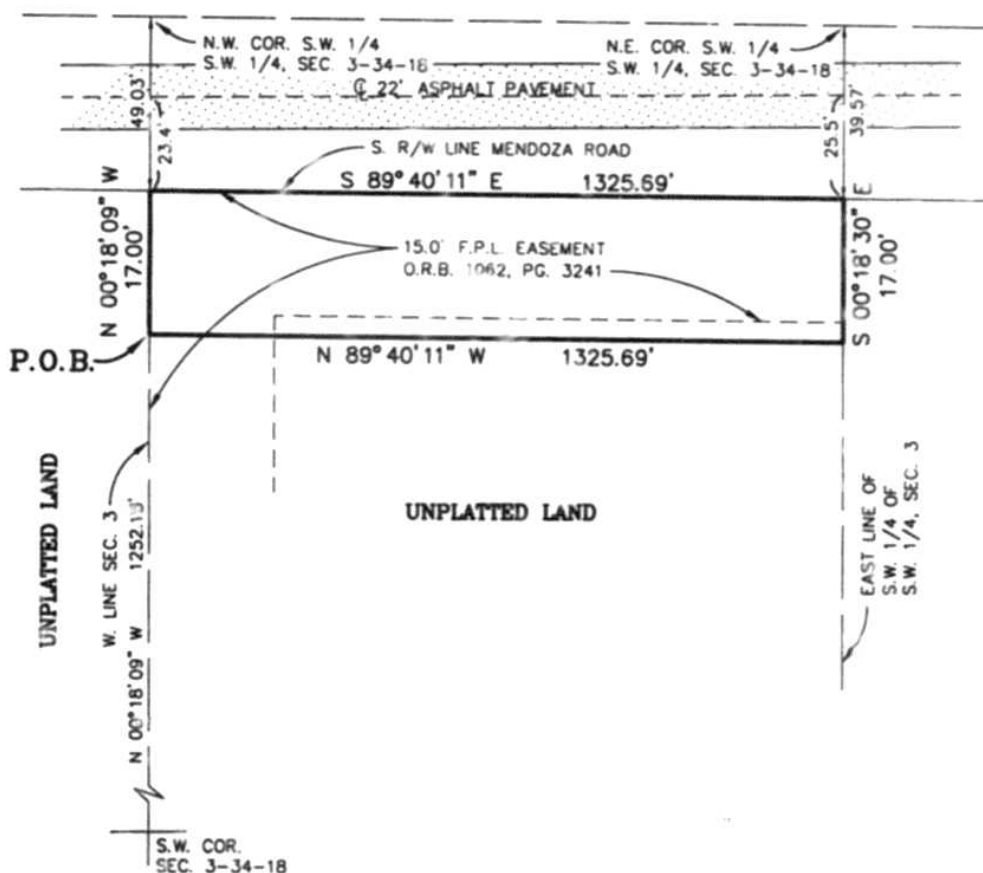
Jacqueline L. Phelps
NOTARY PUBLIC Signature

Printed Name



ENGINEERS, PLANNERS, SURVEYORS, LANDSCAPE ARCHITECTS & ENVIRONMENTAL CONSULTANTS
201 5th AVENUE DRIVE EAST, BRADENTON, FLORIDA 34206, (941)748-8080, FAX: (941)748-3747
CERTIFICATE OF AUTHORIZATION No. LB 2230

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LEGEND

COR.	CORNER
O.R.B.	OFFICIAL RECORD BOOK
PG.	PAGE
P.O.B.	POINT OF BEGINNING
R/W	RIGHT OF WAY
SEC.	SECTION

DESCRIPTION SKETCH

OF A
RIGHT OF WAY

LOCATED IN

SECTION 3, TOWNSHIP 34 S., RANGE 18 E.
MANATEE COUNTY, FLORIDA

NOT A BOUNDARY SURVEY

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BY: *J. N. Gutch, Jr.*
JAMES N. GUTCH, JR. P.S.M.

FLORIDA CERTIFICATE No. LS 4295

DATE OF CERTIFICATION: 5/20/98

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Affidavit of Ownership and Encumbrances

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

BK 1561 PG 658 DKT# 1139591 1 of 2

PROJECT #
 PARCEL #
 ID # 8351.8000/1

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF Florida
 COUNTY OF Pasco

BEFORE ME, the undersigned authority, this day personally appeared J. Chris Scherer
 whose mailing address is 2210 Destiny Way, Suite 1, Odessa, FL 33556
 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 Roy M. Speer Trust, dated January 1, 1967, mortgage dated June 16, 1987, and recorded in Official Records Book 1188, page 0931, of the 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

(Corporate Seal)

Genesis Communities, Inc.

Corporation

BY:

President

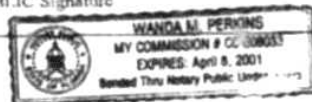
J. Chris Scherer

Printed Name

SWORN to and subscribed before me this 22nd day of April, 1998 by J. Chris Scherer (name and title of agent) Of Genesis Communities (name of corporation) a Florida (state or place of corporation) corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification

NOTARY PUBLIC Signature

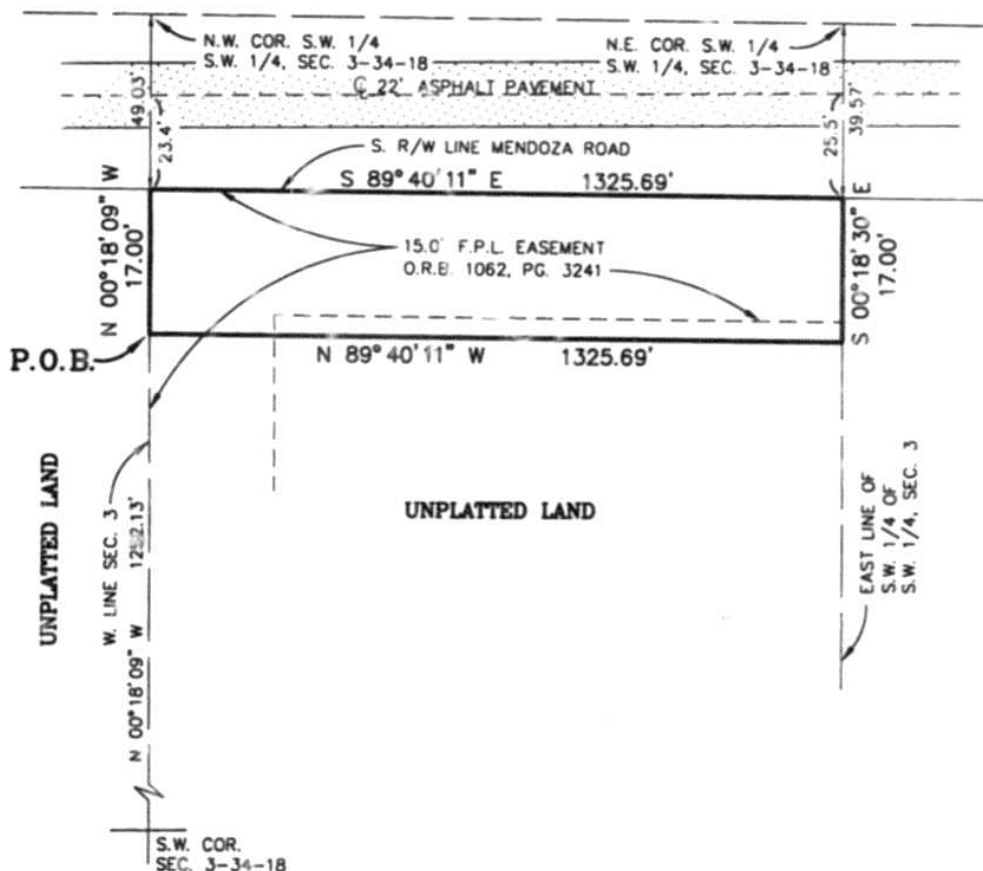
Printed Name



ACCEPTED IN OPEN SESSION JUL 07 1998
 BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

ENGINEERS, PLANNERS, SURVEYORS, LANDSCAPE ARCHITECTS & ENVIRONMENTAL CONSULTANTS
201 5th AVENUE DRIVE EAST, BRADENTON, FLORIDA 34206, (941)748-8080, FAX: (941)748-3747
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SEC.	SECTION

DESCRIPTION SKETCHOF A
RIGHT OF WAY

LOCATED IN

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BY: *J. N. Gatch, Jr.*
JAMES N. GATCH, JR. P.S.M.

FLORIDA CERTIFICATE No. LS 4295

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DN 15/1 PG 659
FILED AND RECORDED 07/10/98 4:05PM 2 OF 2
R.B. SHROYER CLERK OF CIRCUIT COURT MANATEE COUNTY FL