

CLERK OF CIRCUIT COURT APPROVED IN OPEN SESSION
CONSENT CALENDAR

DECEMBER 8, 1998

3:00 PM

BONDS

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

Accept:

Sheriff's Public Employees and Deputy Sheriffs Blanket Bonds
(7 additions; 8 deletions)

Sugar Ridge Subdivision

1. Agreement with Bradenton Resort Properties, Inc. guaranteeing completion of required sidewalks and bikeways (\$4,290).
2. Performance Bond: \$4,290 (Amendment 1 to Letter of Credit 003286, previously SM-003286, NationsBank, N.A., reducing bond amount from \$19,219.20)

Release:

Sugar Ridge Subdivision

Agreement with Bradenton Resort Properties, Inc. guaranteeing completion of required sidewalks and bikeways (\$19,219.20).

Tara, Phase I, Unit 7

1. Agreement with Tara Manatee, Inc. warranting required improvements (\$17,479.25).
2. Defect Security: \$17,479.25 (Letter of Credit 04-95-0093 with amendments (2), First National Bank of Naples).

River Point Subdivision, Phase I

1. Agreement with Centex Real Estate Corporation warranting required improvements (\$102,349.05).
2. Defect Security: \$102,349.05 (Surety Bond 5894929, Safeco Insurance Company of America).

WARRANT LIST

Approve: December 1, 1998 through December 7, 1998
Authorize: December 8, 1998 through December 14, 1998

AUTHORIZE CHAIRMAN TO SIGN

Satisfactions of Judgment:

Joseph Rogers, Case 91-1849F
James St. Fleur, Case 97-2274T
George and Julie Glennon, Case 98-1334JD

Emergency Generator Shelters

Execute contract with Chartier Development Co., Inc., 15B 98-4081DC, \$163,788.24; date performance/payment bonds, and accept insurance certificate (approved 11/3/98).

APPROVE, RATIFY AND CONFIRM

Parks & Recreation Special Interest Class Agreements:

Georgie Mygrant - Gentle Step Aerobics

ACCEPT

Cedar Hammock Fire Control District

Revised 1998/99 Fiscal Year meeting schedule.

2/12/99

MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
INTEROFFICE MEMORANDUM

RECEIVED

DEC 7 1998

BOARD RECORDS

MEMORANDUM

DATE: December 1, 1998

TO: Susan Romine, Board Records Supv.
Clerk of Circuit Court

FROM: Jerome Gostkowski, Administrator
Growth Management Div., Planning Dept.

SUBJECT: SUGAR RIDGE SUBDIVISION (94-S-26)
SIDEWALK PERFORMANCE BOND

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion":

- **Authorization to release and return** the Agreement in Conjunction with Letter of Credit as Security Guaranteeing Completion of Required Sidewalks and Bikeways to: Bradenton Resort Properties, Incorporated located at 2303 1st Street East, Bradenton, FL 34208;

PLEASE DO NOT RELEASE LETTER OF CREDIT SM-03286 ASSOCIATED WITH THIS AGREEMENT. This Letter of Credit is being reduced, but will be used as the binding monetary instrument for the new Bikeways Agreement (see below)

- **Acceptance of**, and authorization for Chairman to execute the Agreement in Conjunction with Letter of Credit as Security guaranteeing completion of Required Sidewalks and Bikeways;
- **Acceptance of**, the amended Performance Bond in conjunction with the above Agreement;
 - **Amendment 003286**, previously SM-003286. This number has changed due to the recent merger of NationsBank;
 - **Previous Amount** of Performance Bond \$19,219.20 has been **Reduced** to \$4,290.00

JLG/mjo

cc: Records Management
Kim Umana, Finance, Clerk of Circuit Court
Dan Simone, Bradenton Resort Properties
NationsBank

DEC 9 1998
BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY

For: SUGAR RIDGE
(Name of Project)

AGREEMENT IN CONJUNCTION WITH LETTER OF CREDIT
AS SECURITY GUARANTEEING COMPLETION OF
REQUIRED SIDEWALKS AND BIKEWAYS

WHEREAS, BRADENTON RESORT PROPERTIES, INC. (Developer") has made application to Manatee County, Florida ("County"), for approval of a proposed subdivision or final site plan identified as SUGAR RIDGE ("Project"); and

WHEREAS, the Manatee County Land Development Code, Ordinance 90-01, requires that a final subdivision plat not be approved for recording, and that a Certificate of Occupancy not be issued in accordance with final site plan approval, until Sidewalks and/or Bikeways required by the Land Development Code or required as a condition of approval of the plat or site plan ("Sidewalks") have been duly constructed, completed and approved, unless the Developer has provided performance security guaranteeing to the satisfaction of the County that such improvements will be duly constructed, completed and approved; and

WHEREAS, in connection with the Project the Developer has submitted construction drawings for the Sidewalks which are on file with and have been approved by the County; and

WHEREAS, the Developer desires to obtain approval of the Project prior to installation of the Sidewalks; and

WHEREAS, the Developer has submitted a cost estimate certified by the Engineer of Record to be an accurate reflection of the cost to complete the remaining Sidewalks, and the Letter of Credit referred to below is in an amount which represents at least 130% of that estimated cost.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

1. That the developer, in consideration of the County's approval of the proposed Project, and for other valuable consideration, hereby agrees to duly construct and complete the Sidewalks and to otherwise comply fully with the Land Development Code, any conditions of the Project approval, and all other applicable regulations, requirements, and agreements.
2. That the Developer herewith tenders to the County a Letter of Credit, Number 003286, dated 11/19/1998, with NATIONSBANK (Financial Institution), in the amount of FOUR THOUSAND TWO HUNDRED NINETY AND NO/100 Dollars, (\$ 4,290.00), expiring on the 18TH DAY of DEC., 19 99 ("Security"), naming as beneficiary the Board of County Commissioners of Manatee County, Florida, to be held by the Clerk of the Circuit Court of the County for the specific benefit of the county in accordance with the following:

For: SUGAR RIDGE
(Project Name)

If the Developer should fail or refuse to complete, to the satisfaction of the County, all required Sidewalks in accordance with the construction drawings or any amendments thereto approved by the County within one (1) year from Board of County Commission approval of this Agreement, the County upon thirty (30) days written notice to the Developer, at the County's option, shall have the right to construct and complete, or cause to be constructed, the aforesaid required Sidewalks. In the event the County should exercise such right, the Developer shall be liable for the cost of such construction and completion, and shall indemnify and save harmless the County against or from all claims, costs, expenses, damages, injury or loss, either direct or consequential, including without limitation all engineering, legal and contingent costs, which the County may sustain on account of the failure of the Developer to fulfill, within the time specified, its obligations as described herein, without regard to the amount of the Security.

If the County does elect to construct and complete, or cause to be constructed, the Sidewalks, the County shall have the unqualified right to draw funds for that purpose and for paying costs incidental to the exercise of its rights hereunder, in such amounts as the County shall in its sole discretion determine, in accordance with the terms of the Letter of Credit.

3. Should the Developer fail or refuse to complete the Sidewalks, nothing herein shall be construed as affecting the County's right to resort to any and all legal and equitable remedies against the Developer, including specific performance, to which the Developer hereby unconditionally agrees.

DEC 08 1998
ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

FOR: _____

SIGNED AND SEALED this 24 day of NOVEMBER, 1998

[Signature]
WITNESSES:
Witness

SALVATORE PIGNANELLI
Type or Print Name

[Signature]
Witness

[Signature]
Type or Print Name

BRADENTON RESORT PROPERTIES INC.
Developer

BY: [Signature]
Signature

DAN SIMONE
Type or Print Name

Title (If attorney-in-fact
attach Power of Attorney)

2303 1ST ST E
Postal Address

BRADENTON FLORIDA 34208
City State Zip

OR CORPORATE SEAL:

NOTARY ACKNOWLEDGEMENT

STATE OF FLA

COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 24th
day of November, 1998, by Dan Simone, as
Agent (Title), on behalf of the corporation
identified herein as Developer and who is personally known to me
who has produced [Signature] (Type of Identification) as
identification and who did/did not take an oath.

NOTARY SEAL:



[Signature]
Notary Public

Donna C. Chaney
Print Name of Notary

Commission No. CC48862

My Commission Expires 8-15-99

Approved and accepted for and on behalf of Manatee County,
Florida, this 8th day of December, 1998.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: [Signature]
Vice Chairman

ATTEST: [Signature]
A. B. Shore
Clerk of the Circuit Court

ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

FOR: _____

SIGNED AND SEALED this 24 day of NOVEMBER, 1998

[Signature]
WITNESSES:
Witness

SALVATORE PIGNANELLI
Type or Print Name

MAURINE M. FAULKNER
Witness

MAURINE M. FAULKNER
Type or Print Name

BRADENTON RESORT PROPERTIES INC.
Developer

BY: [Signature]
Signature

DAN SIMONE
Type or Print Name

Title (If attorney-in-fact attach Power of Attorney)

2303 1ST ST C
Postal Address

BRADENTON FLORIDA 34208
City State Zip

OR CORPORATE SEAL:

NOTARY ACKNOWLEDGEMENT

STATE OF FLA

COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 24th day of November, 1998, by DAN SIMONE, as Agent (Title), on behalf of the corporation identified herein as Developer and who is personally known to me at who has produced FD-302 (Type of Identification) as identification and who did/did not take an oath.

NOTARY SEAL:



Donna C. Chaney
Notary Public

Donna C. Chaney
Print Name of Notary

Commission No. 0048862

My Commission Expires 8-15-99

Approved and accepted for and on behalf of Manatee County, Florida, this 8th day of December, 1998.

BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

BY: [Signature]
Vice Chairman

ATTEST: [Signature]
R. B. Shore
Clerk of the Circuit Court

ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

ISSUING BANK:
NATIONSBANK, N.A.

L/C NO: 003286
AMENDMENT NO: 01
AMENDMENT DATE: 19NOV98

BENEFICIARY:
MANATEE COUNTY
BOARD OF COUNTY COMMISSIONERS
1112 MANATEE AVE. W.
BRADENTON, FL 34205

APPLICANT:
BRADENTON RESORT PROPERTIES, INC.
2303 1ST ST. E.
BRADENTON, FL 34208

WE HEREBY AMEND THE ABOVE REFERENCED STANDBY LETTER OF CREDIT AS FOLLOWS:

THE LETTER OF CREDIT AMOUNT IS DECREASED BY USD 14,929.20 TO A NEW AGGREGATE TOTAL OF USD 4,290.00
EXPIRATION DATE IS EXTENDED TO: 18DEC99

LETTER OF CREDIT NO. SM-03286-95 HAS BEEN CHANGED TO 003286. PLEASE USE THIS NUMBER ON ALL FUTURE CORRESPONDENCE.

AS A RESULT OF A MERGER, AND BY OPERATION OF LAW THE ISSUER IS NOW NATIONSBANK, N.A. ALL REFERENCE IN THE CREDIT TO NATIONSBANK OF FLORIDA, N.A. ARE AMENDED TO READ NATIONSBANK, N.A.

DOCUMENTS ARE TO BE PRESENTED TO NATIONSBANK, N.A., 901 MAIN ST., 9TH FL., DALLAS, TX 75202, ATTN: LETTER OF CREDIT DEPT. OR CORRESPONDENT, NATIONSBANK, N.A., 8111 BENEVA RD., S.W. 2ND FL., STE 200, SARASOTA, FL 34238.

ALL OTHER TERMS UNCHANGED. THIS IS THE OPERATIVE INSTRUMENT WHICH FORMS AN INTEGRAL PART OF LETTER OF CREDIT NO. 003286 AND SHOULD BE ATTACHED THERETO.

FOR ASSISTANCE PLEASE CALL BARBARA TEAGUE AT 814 568-3097



AUTHORIZED SIGNATURE
NATIONSBANK, N.A.

ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY
DEC 0 9 1998

ISSUE DATE: 18DEC 86

BENEFICIARY:
 MANATEE COUNTY
 BOARD OF COUNTY COMMISSIONERS
 1112 MANATEE AVENUE WEST
 BRADENTON, FL 34205

APPLICANT:
 BRADENTON RESORT PROPERTIES, INC.
 2303 1ST STREET EAST
 BRADENTON, FL 34208

REF: OUR DRAFTABLE LETTER OF CREDIT NO. SM-03286-095

FOR: SUGAR RIDGE SUBDIVISION
 SIDEWALK COMPLETION

BY ORDER OF BRADENTON RESORT PROPERTIES, INC., WE HEREBY OPEN OUR DRAFTABLE CREDIT NO. SM-03286-095 IN FAVOR OF MANATEE COUNTY, FLORIDA, IN THE AMOUNT OF NINETEEN THOUSAND TWO HUNDRED NINETEEN AND TWO/100 DOLLARS (\$19,219.00), EFFECTIVE AS OF THE DATE THIS CREDIT IS ACCEPTED AND APPROVED, AND EXPIRING AT OUR OFFICE AT NATIONSBANK TOWER, 106 S.W. 8TH ST., 13TH FLOOR, MIAMI, FL 33130 AT THE CLOSE OF BUSINESS ON 18DEC 86.

WE ARE ADVISED THAT THE DEVELOPER HAS ENTERED INTO A WRITTEN REQUIRED IMPROVEMENTS AGREEMENT WITH THE COUNTY TO DEVELOP A PROJECT TO BE KNOWN AS SUGAR RIDGE SUBDIVISION SIDEWALK COMPLETION AND TO CONSTRUCT AND INSTALL THE REQUIRED IMPROVEMENTS AS DEFINED THEREIN, AS SHOWN IN THE CONSTRUCTION DRAWINGS FOR THE PROJECT WHICH ARE ON FILE WITH AND HAVE BEEN APPROVED BY THE COUNTY. THE REQUIRED IMPROVEMENTS ARE TO BE CONSTRUCTED AND COMPLETED TO THE SATISFACTION OF THE COUNTY AT LEAST THREE (3) MONTHS PRIOR TO THE EXPIRATION DATE OF THIS LETTER OF CREDIT.

FUNDS UNDER THIS CREDIT ARE AVAILABLE AND WILL BE PAID PROMPTLY TO THE COUNTY TO ESCROW OR TO CREDITORS IN THE ADEQUATE THE AMOUNT OF THIS CREDIT, AGAINST THE COUNTY'S SIGHT DRAFT ON US MENTIONING THIS LETTER OF CREDIT, ACCOMPANIED BY A STATEMENT PURPORTING TO BE SIGNED BY A COUNTY ENGINEER TO THE EFFECT THAT "THE DEVELOPER HAS AGREED TO COMPLETE THE REQUIRED IMPROVEMENTS WITHIN THE TIME PERIOD SPECIFIED, AND THE SAID FUNDS ARE REQUIRED TO EXERCISE THE COUNTY'S RIGHT TO COMPLETE THE REQUIRED IMPROVEMENTS AND TO PAY FOR THE SAME THEREFOR." THE WORDS OF ANY DRAFT DRAWN UNDER THIS LETTER OF CREDIT SHALL BE GOVERNED BY THE REVERSE SIDE HEREOF.

WE DO NOT DEPRECIATE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO OUR INTERNATIONAL CUSTOMS AND PRACTICES FOR DOCUMENTARY CREDITS, APPROPRIATION, T.I.C. PUBLICATION NO. 500.

BRADENTON, FLORIDA, 18 DEC 1986

RECEIVED AT THESSSE



MANATEE COUNTY, FLORIDA
 BOARD OF COUNTY COMMISSIONERS

DEC 18 1986
 BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY



Authorized Signature

PAGE FOUR OF FOUR

DATE: 08/26/80

RECEIVED FROM THE OFFICE OF THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA

THIS IS THE OFFICE OF James J. ...

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

[Signature]
CLERK

[Signature]

RECEIVED
OFFICE OF THE CLERK

CLERK
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

#15-2

MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
INTEROFFICE MEMORANDUM

MEMORANDUM

RECEIVED

DEC 7 1998

BOARD RECORDS

DATE: December 1, 1998

TO: Susan Romine, Board Records Supv.
Clerk of Circuit Court

FROM: Jerome Gostkowski, Administrator
Growth Management Div., Planning Dept.

SUBJECT: **SUGAR RIDGE SUBDIVISION (94-S-26)**
SIDEWALK PERFORMANCE BOND

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion":

- **Authorization to release and return** the Agreement in Conjunction with Letter of Credit as Security Guaranteeing Completion of Required Sidewalks and Bikeways to: Bradenton Resort Properties, Incorporated located at 2303 1st Street East, Bradenton, FL 34208;

PLEASE DO NOT RELEASE LETTER OF CREDIT SM-03286 ASSOCIATED WITH THIS AGREEMENT. This Letter of Credit is being reduced, but will be used as the binding monetary instrument for the new Bikeways Agreement (see below)

- **Acceptance of**, and authorization for Chairman to execute the Agreement in Conjunction with Letter of Credit as Security guaranteeing completion of Required Sidewalks and Bikeways;
- **Acceptance of**, the amended Performance Bond in conjunction with the above Agreement;
 - **Amendment 003286**, previously SM-003286. This number has changed due to the recent merger of NationsBank;
 - **Previous Amount** of Performance Bond \$19,219.20 has been **Reduced** to \$4,290.00

JLG/mjo

cc: Records Management
Kim Umana, Finance, Clerk of Circuit Court
Dan Simone, Bradenton Resort Properties
NationsBank

1052

For: SUGAR RIDGE SUBDIVISION

AGREEMENT IN CONJUNCTION WITH LETTER OF CREDIT
AS SECURITY GUARANTEEING COMPLETION OF
REQUIRED SIDEWALKS AND BIKEWAYS

WHEREAS, BRADENTON RESORT PROPERTIES, INC. (Developer*) has made application to Manatee County, Florida ("County"), for approval of a proposed subdivision or final site plan identified as SUGAR RIDGE SUBDIVISION("Project"); and

WHEREAS, the Manatee County Land Development Code, Ordinance 90-01, requires that a final subdivision plat not be approved for recording, and that a Certificate of Occupancy not be issued in accordance with final site plan approval, until Sidewalks and/or Bikeways required by the Land Development Code or required as a condition of approval of the plat or site plan ("Sidewalks") have been duly constructed, completed and approved, unless the Developer has provided performance security guaranteeing to the satisfaction of the County that such improvements will be duly constructed, completed and approved; and

WHEREAS, in connection with the Project the Developer has submitted construction drawings for the Sidewalks which are on file with and have been approved by the County; and

WHEREAS, the Developer desires to obtain approval of the Project prior to installation of the Sidewalks; and

WHEREAS, the Developer has submitted a cost estimate certified by the Engineer of Record to be an accurate reflection of the cost to complete the remaining Sidewalks, and the Letter of Credit referred to below is in an amount which represents at least 130% of that estimated cost.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

1. That the developer, in consideration of the County's approval of the proposed Project, and for other valuable consideration, hereby agrees to duly construct and complete the Sidewalks and to otherwise comply fully with the Land Development Code, any conditions of the Project approval, and all other applicable regulations, requirements, and agreements.
2. That the Developer herewith tenders to the County a Letter of Credit, Number 94-03286-095 dated 18 Dec. 1995 with NATIONSBANK (Financial Institution), in the amount of NINETEEN THOUSAND TWO HUNDRED Dollars, (\$ 19,219.20), expiring on the 18 day of December, 1998 ("Security"), naming as beneficiary the Board of County Commissioners of Manatee County, Florida, to be held by the Clerk of the Circuit Court of the County for the specific benefit of the county in accordance with the following:

If the Developer should fail or refuse to complete, to the satisfaction of the County, all required Sidewalks in accordance with the construction drawings or any amendments thereto approved by the county within three (3) years from County approval of the plat or applicable site plan, the County upon thirty (30) days written notice to the Developer, at the Countys option, shall have the right to construct and complete, or cause to be constructed, the aforesaid required Sidewalks. In the event the County should exercise such right, the Developer shall be liable for the cost of such construction and completion, and shall indemnify and save harmless the County against or from all claims, costs, expenses, damages, injury or loss, either direct or consequential, including without limitation all engineering, legal and contingent costs, which the County may sustain on account of the failure of the

Developer to fulfill, within the time specified, its obligations as described herein, without regard to the amount of the Security.

If the County does elect to construct and complete, or cause to be constructed, the Sidewalks, the County shall have the unqualified right to draw funds for that purpose and for paying costs incidental to the exercise of its rights hereunder, in such amounts as the County shall in its sole discretion determine, in accordance with the terms of the Letter of Credit.

- 3. Should the Developer fail or refuse to complete the Sidewalks, nothing herein shall be construed as affecting the Countys right to resort to any and all legal and equitable remedies against the Developer, including specific performance, to which the Developer hereby unconditionally agrees.

SIGNED AND SEALED this 19 day of DECEMBER, 1995.

WITNESSES:

BRADENTON RESORT PROPERTIES, INC. (Developer)

BY: Alfonso Fanelli, President 2303 1st Street East Bradenton, Florida 34208

Witness Signatures: Mary Pasley and Patricia Paliczka; Printed Witness Names: Patricia Paliczka, Deborah L. Severs

OR CORPORATE SEAL:

NOTARY ACKNOWLEDGEMENT

COUNTRY OF CANADA

PROVINCE ONTARIO

The foregoing instrument was acknowledged before me this 19 day of DECEMBER, 1995, by Alfonso Fanelli, as President, of Bradenton resort Properties, Inc. on behalf of the corporation identified herein as Developer and who is personally known to me or who has produced the following type of identification: Notary Public Knowledge

(SEAL)

Notary Public Signature: Deborah L. Severs; Printed Notary Name: Deborah L. Severs; My Commission Expires: N/A

Approved and accepted for and on behalf of Manatee County, Florida, this 19 day of January, 1995.

BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

BY: Jean Stephen, Chairman

ATTEST: R. B. Shore, Clerk of the Circuit Court

RELEASED IN OPEN SESSION DEC 08 1998 BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
INTEROFFICE MEMORANDUM

MEMORANDUM

RECEIVED

DATE: December 1, 1998

TO: Susan Romine, Board Records Supv.
Clerk of Circuit Court

FROM: Jerome Gostkowski, Administrator
Growth Management Div., Planning Dept.

SUBJECT: SUGAR RIDGE SUBDIVISION (94-S-26)
SIDEWALK PERFORMANCE BOND

DEC 7 1998

BOARD RECORDS

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion":

- **Authorization to release and return** the Agreement in Conjunction with Letter of Credit as Security Guaranteeing Completion of Required Sidewalks and Bikeways to: Bradenton Resort Properties, Incorporated located at 2303 1st Street East, Bradenton, FL 34208;

PLEASE DO NOT RELEASE LETTER OF CREDIT SM-03286 ASSOCIATED WITH THIS AGREEMENT. This Letter of Credit is being reduced, but will be used as the binding monetary instrument for the new Bikeways Agreement (see below)

- **Acceptance of,** and authorization for Chairman to execute the Agreement in Conjunction with Letter of Credit as Security guaranteeing completion of Required Sidewalks and Bikeways;
- **Acceptance of,** the amended Performance Bond in conjunction with the above Agreement;
 - **Amendment 003286,** previously SM-003286. This number has changed due to the recent merger of NationsBank;
 - **Previous Amount of Performance Bond \$19,219.20** has been Reduced to \$4,290.00

JLG/mjo

cc: Records Management
Kim Umana, Finance, Clerk of Circuit Court
Dan Simone, Bradenton Resort Properties
NationsBank

1052

For: SUGAR RIDGE SUBDIVISION

AGREEMENT IN CONJUNCTION WITH LETTER OF CREDIT
AS SECURITY GUARANTEEING COMPLETION OF
REQUIRED SIDEWALKS AND BIKEWAYS

WHEREAS, BRADENTON RESORT PROPERTIES, INC. (Developer*) has made application to Manatee County, Florida ("County"), for approval of a proposed subdivision or final site plan identified as SUGAR RIDGE SUBDIVISION("Project"); and

WHEREAS, the Manatee County Land Development Code, Ordinance 90-01, requires that a final subdivision plat not be approved for recording, and that a Certificate of Occupancy not be issued in accordance with final site plan approval, until Sidewalks and/or Bikeways required by the Land Development Code or required as a condition of approval of the plat or site plan ("Sidewalks") have been duly constructed, completed and approved, unless the Developer has provided performance security guaranteeing to the satisfaction of the County that such improvements will be duly constructed, completed and approved; and

WHEREAS, in connection with the Project the Developer has submitted construction drawings for the Sidewalks which are on file with and have been approved by the County; and

WHEREAS, the Developer desires to obtain approval of the Project prior to installation of the Sidewalks; and

WHEREAS, the Developer has submitted a cost estimate certified by the Engineer of Record to be an accurate reflection of the cost to complete the remaining Sidewalks, and the Letter of Credit referred to below is in an amount which represents at least 130% of that estimated cost.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

1. That the developer, in consideration of the County's approval of the proposed Project, and for other valuable consideration, hereby agrees to duly construct and complete the Sidewalks and to otherwise comply fully with the Land Development Code, any conditions of the Project approval, and all other applicable regulations, requirements, and agreements.
2. That the Developer herewith tenders to the County a Letter of Credit, Number SM-03286-09 dated 18 Dec. 1995 with NATIONSBANK (Financial Institution), in the amount of NINETEEN THOUSAND TWO HUNDRED TWENTY TWO/100 Dollars, (\$ 19,219.20), expiring on the 18 day of December, 1998 ("Security"), naming as beneficiary the Board of County Commissioners of Manatee County, Florida, to be held by the Clerk of the Circuit Court of the County for the specific benefit of the county in accordance with the following:

If the Developer should fail or refuse to complete, to the satisfaction of the County, all required Sidewalks in accordance with the construction drawings or any amendments thereto approved by the county within three (3) years from County approval of the plat or applicable site plan, the County upon thirty (30) days written notice to the Developer, at the Countys option, shall have the right to construct and complete, or cause to be constructed, the aforesaid required Sidewalks. In the event the County should exercise such right, the Developer shall be liable for the cost of such construction and completion, and shall indemnify and save harmless the County against or from all claims, costs, expenses, damages, injury or loss, either direct or consequential, including without limitation all engineering, legal and contingent costs, which the County may sustain on account of the failure of the

Developer to fulfill, within the time specified, its obligations as described herein, without regard to the amount of the Security.

If the County does elect to construct and complete, or cause to be constructed, the Sidewalks, the County shall have the unqualified right to draw funds for that purpose and for paying costs incidental to the exercise of its rights hereunder, in such amounts as the County shall in its sole discretion determine, in accordance with the terms of the Letter of Credit.

- 3. Should the Developer fail or refuse to complete the Sidewalks, nothing herein shall be construed as affecting the County's right to resort to any and all legal and equitable remedies against the Developer, including specific performance, to which the Developer hereby unconditionally agrees.

SIGNED AND SEALED this 19 day of DECEMBER, 1995

WITNESSES:

BRADENTON RESORT PROPERTIES, INC. (Developer)

BY: Alfonso Fanelli, President 2303 1st Street East Bradenton, Florida 34208

Witness Signature: Mary Pasick... Printed Witness Name: MARY PASICK... Witness Signature: Deborah L. Severs... Printed Witness Name: DEBORAH L. SEVERS

OR CORPORATE SEAL:

NOTARY ACKNOWLEDGEMENT

COUNTRY OF CANADA

PROVINCE ONTARIO

The foregoing instrument was acknowledged before me this 19 day of DECEMBER, 1995, by Alfonso Fanelli, as President, of Bradenton resort Properties, Inc. on behalf of the corporation identified herein as Developer and who is () personally known to me or who () has produced the following type of identification: PERSONAL KNOWLEDGE

(SEAL)

Notary Public: Deborah L. Severs, N/A. Printed Notary Name: My Commission Expires:

Approved and accepted for and on behalf of Manatee County, Florida, this 19 day of January, 1995.

BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

BY: Jan Stephen Chairman

ATTEST: R. B. Shore, Clerk of the Circuit Court

RELEASED IN OPEN SESSION DEC 08 1998 BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY



Manatee County
Clerk of the Circuit Court and Comptroller

R.B. "Clips" Shore

P.O. Box ~~XXXX~~ 25400 • Manatee County Courthouse • Bradenton, Florida 34206 ~~XXXX~~ 5400 • (941) 749-1800 • FAX (941) 749-2000

BOND RELEASE

STATE OF FLORIDA
 COUNTY OF MANATEE

December 8, 1998

This is to certify that the Board of County Commissioners of Manatee County, Florida, in Regular Session on the 8th day of December, 1998, did approve the release of the following bond:

SUBDIVISION: SUGAR RIDGE SUBDIVISION
 (Bradenton Resort Properties, Inc.,
 Developer)

RELEASE: Agreement in Conjunction with Letter
 of Credit as Security Guaranteeing
 Completion of Required Sidewalks and
 Bikeways.

ACCEPTED: 1/9/96

R. B. SHORE

CLERK OF CIRCUIT COURT
 MANATEE COUNTY, FLORIDA

BY:

Susan G. Romine
 Board Records
 Supervisor

RBS: sgr
 Enclosures



MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT

INTEROFFICE MEMORANDUM

MEMORANDUM

RECEIVED

DATE: December 1, 1998

TO: Susan Romine, Board Records Supv.
Clerk of the Circuit Court

FROM: Jerome Gostkowski, Administrator
Growth Mgmt. Div., Planning Dept.

SUBJECT: TARA, PHASE I, UNIT 7
PDR-80-02/94-S-28
DEFECT SECURITY RELEASE

DEC 7 1998
BOARD RECORDS

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion".

- **Authorization to release and return** the following Agreement Warranting Required Improvements to: Tara-Manatee, Incorporated located at 2666 Airport Road South, Naples, FL 33962;
- **Authorization to release and return** the following Letter of Credit and ALL amendments, thereto, associated with the above Agreement to: Tara-Manatee, Incorporated located at 2666 Airport Road South, Naples, FL 33962;
- **Letter of Credit** No. 04-95-0093 from First National Bank of Naples;
- **Amount of Defect Security** \$17,479.25.

JLG/mjo

cc: Records Management
Kim Umana, Finance, Clerk of Circuit Court
Tom Struve, Transportation Dept.
Brian Martineau, Transportation Dept.
Eldred Wears, Hwy Maint, Transportation Dept.
Robin Tardiff, Property Appraiser's Office
Ken MacIntyre, Plan Implementation
Mathew Loricano, Tara-Manatee, Inc.
W. Lanier Mathews, Lombardo, Skipper & Foley
First National Bank of Naples


RELEASED IN OPEN SESSION DEC 08 1998
BOARD OF COUNTY COMMISSIONERS

MANATEE COUNTY GOVERNMENT
PLANNING, PERMITTING AND INSPECTIONS
INTEROFFICE MEMORANDUM

MEMORANDUM

DATE: APRIL 14, 1995

TO: RICK ASHLEY, CHIEF DEPUTY CLERK
CLERK OF THE CIRCUIT COURT

FROM: ERIK F. GOURD, BOND COORDINATOR 
GROWTH MANAGEMENT DIV.

SUBJECT: TARA, PHASE I, UNIT 7 94-S-28

We request that the performance bond, listed below, be released and that the attached Letter of Credit and Agreement be accepted as Defect Security. We further recommend that by this agreement the warranted improvements be accepted for county maintenance.

RELEASE PERFORMANCE BOND

Escrow Account
in the amount of \$227,237.25
by agreement with: AmSouth Bank of Florida
811 Anchor Rode Drive
Naples, FL 33940

ACCEPT DEFECT SECURITY

Letter of Credit No. 04-95-0093
Issued by First National Bank of Naples
in the amount of \$17,479.25

EG

cc: K. Umana, Finance Director
Lombardo & Skipper, Inc.
Steven Jacobs
Records Management

RELEASED IN OPEN SESSION DEC 08 1998
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY



900 Goodlette Road North
P.O. Box 413043
Naples, Florida 33941-3043
(813) 262-7600 FAX (813) 262-6267

DAVID H. SCHAEFFER
Senior Vice President
for Corporate and
Executive Banking

March 13, 1995

Board of County Commissioners
Manatee County, Florida
Bradenton, Florida 33505

RE: Our Clean Irrevocable Credit No. 04-95-0093
Tara, Phase I, Unit 7

Dear Commissioners;

By order of TARA-MANATEE, INC., we hereby open our Clean Irrevocable Credit No. 04-95-0093 in favor of Manatee County, Florida, in the amount of Seventeen Thousand Four Hundred Seventy Nine and 25/100 (\$17,479.25), effective as of the date this Credit is accepted and approved, and expiring at our office at the close of business on May 13, 1996, which is at least fourteen (14) months later.

We are informed that the Developer has completed certain Required Improvements associated with the subdivision or final site plan identified as TARA, PHASE I, Unit 7, as shown on the as-built drawings for the Project which are on file with the County, and Developer has requested the County to accept these Required Improvements for maintenance.

We are further informed that the Manatee County Land Development Code, Ordinance 90-01, requires that this Security in the amount of ten percent (10%) of the actual installation costs of the Required Improvements which the Developer is presently requesting the County to accept for maintenance be posted for the purpose of correcting any construction, design or material defects or failures of or in the Required Improvements (Defects).

Funds under this Credit are available and will be paid promptly to the County hereunder not exceeding in the aggregate the amount of this Credit, against the County's sight draft on us mentioning this Letter of Credit, accompanied by a statement purporting to be signed by a County Engineer to the effect that such funds are required to exercise the County's right to correct the Defects and to pay costs incidental thereto, and that at least 10 days in advance of the presentation of the sight draft for payment, the County has provided to the Developer by Certified Mail, return receipt requested, notice of the County's intention to draw funds on this Letter of Credit.

RELEASED IN FULL BY THE ARCHIVES
DEC 08 1998
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

Funds will also be available to the County if an extension of this Letter of Credit or substitution of security is not posted to complete the three year period of time for the posting of a defect security as required by Ordinance 90-01. Notice will be given in the same manner as to remedy defects, but the statement of the County's Engineer shall not be necessary. The amount of any draft under this Letter of Credit shall be endorsed on the reverse side hereof.

Sincerely,
FIRST NATIONAL BANK OF NAPLES

By:


David H. Schaeffer
Senior Vice President

Attest/Witness:

Approved and accepted for and on behalf of Manatee County, Florida, this 2
day of , 1995.

Board of County Commissioners
of Manatee County, Florida

By:


Chairman

Attest:


R. B. Shore
Clerk of Circuit Court

RELEASED IN OBTAINING DEC 08 1996
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

AGREEMENT WARRANTING REQUIRED IMPROVEMENTS
(Required with a Letter of credit as Defect Security
Warranting Required Improvements, Form No. 8418)

WHEREAS, Tara-Manatee, Inc. (Developer) has constructed certain Required Improvements as a condition of approval of a subdivision or final site plan identified as Tara Phase I, Unit 7 (Project); and

WHEREAS, in connection with the Project the Developer has submitted "as built" construction drawings for the Required Improvements which are on file with and have been approved by Manatee County, Florida (County); and

WHEREAS, the Developer is requesting the County to accept for maintenance certain of these Required Improvements; and

WHEREAS, the Manatee County Land Development Code, Ordinance 90-01, requires that the Security identified below, which represents an amount equal to the percent (10%) of the actual installation costs of the Required Improvements which the Developer is presently requesting the County to accept for maintenance, be executed prior to their acceptance by the County; and

WHEREAS, the Developer herewith tenders to the County a Letter of Credit, Number 04-40 0443, dated 3, 2/45 with First National Bank of Tampa (Financial Institution), in the amount of Seventeen Thousand Four Hundred Seventy Nine and 25/100 (\$ 17,479.25), expiring on the 13th day of May, 1996.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

1. This letter of Credit is posted for the purpose of correcting any construction, design or material defects or failures of or in those Required Improvements which the Developer is presently requesting the County to accept for maintenance (Defects), which appear within thirty-six (36) months from the date of the County's approval and acceptance of those Required Improvements as evidenced by the County's execution of this document.
2. After identifying any such Defects, the County may withdraw funds under the terms of the Letter of Credit identified above and incorporated herein by reference, for the purpose of correcting Defects or paying the costs incidental to the County's enforcement of its rights hereunder. The County may also withdraw funds prior to the termination of Letter of Credit No. 04-92-0043 if sufficient security is not posted to complete the 36 month duration of security required by Ordinance 90-01. At least ten (10) days in advance of any such withdrawal of funds, the County shall have sent to the Developer, by Certified Mail, return Receipt Requested, notice of the County's intention to draw funds under the Letter of Credit. Expiration of Defect Security for this project shall at no time be terminated during the thirty-six months following the County's approval and acceptance of the Required Improvements.

Alternatively, the Developer, with the concurrence and at the option of the County, may undertake to correct such Defects itself upon posting additional security acceptable to the County.

3. Developer warrants the Required Improvements to be free from defects, and agrees to indemnify and pay to the County the full cost of correcting any such Defects appearing within thirty-six (36) months of the date hereof without regard to the amount of the Letter of Credit identified above. Developer agrees to the use of the funds by the County as provided herein.
4. This agreement shall be binding upon the Developer, his assigns or successors in interest in Tara Phase I, Unit 7.

FOR: Tara Phase I, Unit 7

SIGNED AND SEALED this 17th day of June, 1995

WITNESSES:

[Signature]
Witness

Debra M. [Signature]
Type or Print Name

[Signature]
Witness

[Signature]
Type or Print Name

Tara Manatee Inc
Developer

BY: [Signature]
Signature

[Signature]
Type or Print Name

[Signature]
Title (If attorney-in-fact
attach Power of Attorney)

2666 Highway 190
Postal Address

Myrtle Beach SC 29576
City State Zip

OR CORPORATE SEAL:

NOTARY ACKNOWLEDGEMENT

STATE OF Florida

COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 17th day of June, 1995, by Tara Manatee Inc, as President (Title), on behalf of the corporation identified herein as Developer and who is personally known to me or who has produced [Signature] (Type of Identification) as identification and who did/did not take an oath.

NOTARY SEAL:

[Signature]
Notary Public

[Signature]
Print Name of Notary

Commission No. _____

My Commission Expires _____



CAROL ANN ANTFIELD
MY COMMISSION # CC376217 EXPIRES
June 17, 1998
BOKED THRU TRY-FAIR INSURANCE, INC.

Approved and accepted for and on behalf of Manatee County, Florida, this 17th day of June, 1995.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: [Signature]
Chairman

ATTEST: [Signature]

R. B. Shore
Clerk of the Circuit Court

DEC 08 1995

RELEASED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
INTEROFFICE MEMORANDUM

MEMORANDUM

DATE: March 31, 1997

TO: Rick Ashley, Chief Deputy Clerk
Clerk of Circuit Court

FROM: Jerome Gostkowski, ~~Administrator~~
Growth Management Div., Planning Dept.

SUBJECT: **TARA, PHASE I, UNIT 7**
PDR-80-02/94-S-28

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion":

- **Acceptance of**, the amended Defect Security Bond, Letter of Credit No. 04-95-0093 from First National Bank of Naples;
- **Amended Letter of Credit** No. 04-95-0093 from First National Bank of Naples;
- **Amount of Letter of Credit** \$17,479.25.

JLG/mjw

cc: Records Management
Kim Umana, Finance, Clerk of Circuit Court
Mr. Mathew Loricano, Tara Manatee, Inc.
First National Bank of Naples

RELEASED IN OPEN SESSION **DEC 08 1998**
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

ACCEPTED IN OPEN SESSION 4/2/97
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY



Date: March 26, 1997

To: Ms. Jane Oliver
Manatee County Planning
P. O. Box 1000
Bradenton, FL 34206-1000

Our Irrevocable Letter of Credit
No. 04-95-0093 Dated March 13, 1995
Amendment 1

Account: Tara-Manatee, Inc.
William T. Higgs, President
2666 Airport Road
Naples, FL 34104

ACCEPTED IN OPEN SESSION 4/20/97
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

GENTLEMEN:

WE ARE PLEASED TO INFORM YOU THAT THE ABOVE MENTIONED CREDIT IN YOUR FAVOR HAS BEEN AMENDED AS FOLLOWS:

EXTENDED FOR ONE (1) YEAR. NEW EXPIRATION DATE MAY 13, 1997.

RELEASED IN OPEN SESSION DEC 9 1998
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

THE OTHER TERMS OF THE CREDIT REMAIN UNCHANGED.

PLEASE ADVISE US AS TO THE ACCEPTABILITY OF THIS AMENDMENT.

Very truly yours,

MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
INTEROFFICE MEMORANDUM

MEMORANDUM

DATE: April 21, 1997

TO: Rick Ashley, Chief Deputy Clerk
Clerk of Circuit Court

FROM: Jerome Gostkowski, Administrator
Growth Management Div., Planning Dept.

SUBJECT: TARA, PHASE I, UNIT 7
PDR-80-02/94-S-28

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion":

- **Acceptance of, and authorization for Chairman to execute the amended Defect Security Bond, Letter of Credit No. 04-95-0093 from First National Bank of Naples;**
- **Amendment No. 2 Letter of Credit No. 04-95-0093 from First National Bank of Naples;**
- **Amount of Letter of Credit \$17,479.25.**

JLG/mjw

cc: Records Management
Kim Umana, Finance, Clerk of Circuit Court
Mr. Mathew Loricano, Tara Manatee, Inc.
First National Bank of Naples

RELEASED IN OPEN SESSION DEC 08 1996
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

ACCEPTED IN OPEN SESSION 4/29/97
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY



PLANNING

Date: April 15, 1997

DEPARTMENT

To: Ms. Jane Oliver
Manatee County Planning
P. O. Box 1000
Bradenton, FL 34206-1000

Our Irrevocable Letter of Credit
No. 04-95-009 Dated March 13, 1995,
Amendment 2

Account: Tara-Manatee, Inc.
William T. Higgs, President
2666 Airport Road
Naples, FL 34104

GENTLEMEN:

WE ARE PLEASED TO INFORM YOU THAT THE ABOVE MENTIONED CREDIT IN YOUR FAVOR HAS BEEN AMENDED AS FOLLOWS:

EXTENDED FOR ONE (1) YEAR. NEW EXPIRATION DATE MAY 13, 1998.

RELEASED IN OPEN SESSION DEC 15 1998
BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY

THE OTHER TERMS OF THE CREDIT REMAIN UNCHANGED.

PLEASE ADVISE US AS TO THE ACCEPTABILITY OF THIS AMENDMENT.

Approved and accepted for and on behalf of Manatee County, Florida, this 29th day of April, 1997. Very truly yours,

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Patricia M. Floss
Chairman

4/29/92
S. MANATEE COUNTY

ATTEST: R. B. Shore
R. B. Shore
Clerk of Circuit Court

ACCEPTED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS



Manatee County
Clerk of the Circuit Court and Comptroller

R.B. "Chips" Shore

P.O. Box ~~XXXX~~ 25400 • Manatee County Courthouse • Bradenton, Florida 34206 ~~XXXX~~ 5400 • (941) 749-1800 • FAX (941) 741-4082

BOND RELEASE

STATE OF FLORIDA
 COUNTY OF MANATEE

December 8, 1998

This is to certify that the Board of County Commissioners of Manatee County, Florida, in Regular Session on the 8th day of December, 1998, did approve the release of the following bond:

SUBDIVISION: TARA, PHASE I, UNIT 7
 (Tara-Manatee, Inc., Developer)

RELEASE: Agreement Warranting Required Improvements (Required with a Letter of credit as Defect Security Warranting Required Improvements, Form No. 8418) and Letter of Credit 04-95-0093 with Amendments (2), First National Bank of Naples, \$17,479.25.

ACCEPTED: 4/18/95

R. B. SHORE

CLERK OF CIRCUIT COURT
 MANATEE COUNTY, FLORIDA

BY: 
 Susan G. Romine
 Board Records
 Supervisor

RBS: sgr
 Enclosures



MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT

INTEROFFICE MEMORANDUM

MEMORANDUM

DATE: December 1, 1998

TO: Susan Romine, Board Records Supv.
Clerk of the Circuit Court

FROM: Jerome Gostkowski, Administrator
Growth Mgmt. Div., Planning Dept.

SUBJECT: **RIVER POINT SUBDIVISION**
93-S-21
DEFECT SECURITY RELEASE

RECEIVED

DEC 7 1998

BOARD RECORDS

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion".

- **Authorization to release and return** the following Agreement Warranting Required Improvements to: Centex Real Estate Corporation located at 1819 Main Street, Suite 500, Sarasota, FL 34236;
- **Authorization to release and return** the following Surety Bond for Defects of Required Improvements associated with the above Agreement to: Centex Real Estate Corporation located at 1819 Main Street, Suite 500, Sarasota, FL 34236;
- **Surety Bond No.** 5894929 from Safeco Insurance Company of America;
- **Amount of Defect Security** \$102,349.05.

JLG/mjo

cc: Records Management
Kim Umana, Finance, Clerk of Circuit Court
Tom Struve, Transportation Dept.
Brian Martineau, Transportation Dept.
Eldred Wears, Hwy Maint, Transportation Dept.
Robin Tardiff, Property Appraiser's Office
Ken MacIntyre, Plan Implementation
Darin Smouse, Centex Real Estate Corp.
Safeco Insurance Company of America

RELEASED BY: JEFFREY BROWN DEC

BOARD OF COUNTY COMMISSIONERS' AGENDA

997

MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
INTEROFFICE MEMORANDUM

MEMORANDUM

DATE: December 18, 1997

TO: Susan Romine, Board Records Supv.
 Clerk of the Circuit Court

FROM: Jerome Gostkowski, Administrator
 Growth Mgmt. Div., Planning Dept.

SUBJECT: RIVER POINT SUBDIVISION
93-S-21

RECEIVED

JAN 12 1998

FINANCE DEPT.

RECEIVED
 DEC 23 1997
 BOARD RECORDS

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion".

- **Authorization to release and return** the following Agreement Warranting Required Improvements to Centex Real Estate Corporation located at 1819 Main Street, Suite 500, Sarasota, FL 34236;
- **Authorization to release and return** the following Letter of Credit associated with the above Agreement Warranting Required Improvements to: Centex Real Estate Corporation located at 1819 Main Street, Suite 500, Sarasota, FL 34236;
- **Letter of Credit** No. 00319548 from First National Bank of Chicago;
- **Amount of Defect Security Bond** \$102,349.05;
- **Acceptance of, and authorization for Chairman to execute** the following Agreement in Conjunction with Surety Bond (Attachment "A") as Defect Security Warranting Required Improvements;

JAN 06 1998

RELEASED OPEN SOURCE

DEC 1

BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

Memorandum
December 18, 1997
Page 2

- **Acceptance of**, and authorization for Chairman to execute the following Surety Bond associated with the above Agreement;
- **Surety Bond No. 5894929** from Safeco Insurance Company of America;
- **Amount of Defect Security \$102,349.05;**

JLG/mjo

cc: Records Management
Kim Umana, Finance, Clerk of Circuit Court
Darin Smouse, Centex Homes
Safeco Insurance Company of America

JAN 06 1998

FORWARDED TO THE CLERK OF THE CIRCUIT COURT
BY THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

RECEIVED BY THE CLERK OF THE CIRCUIT COURT
DEC 0 1997
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

Warranty Bond for River Pointe
 For: Phase 1 Subdivision
 (Name of Project)

AGREEMENT IN CONJUNCTION WITH SURETY BOND (ATTACHMENT "A")
 AS DEFECT SECURITY WARRANTING REQUIRED IMPROVEMENTS

WHEREAS, CENTEX REAL ESTATE CORPORATION (Developer) has constructed certain Required Improvements as a condition of approval of a subdivision or final site plan identified as Warranty Bond for River Pointe, Phase 1 Subdivision (Project); and,

WHEREAS, in connection with the Project the Developer has submitted "as-built" construction drawings for the Required Improvements which are on file with and have been approved by Manatee County, Florida; and,

WHEREAS, the Developer is requesting the County to accept for maintenance certain of these Required Improvements; and,

WHEREAS, the Manatee County Land Development Code, Ordinance 90-01, requires that this Security, which represents an amount equal to ten percent (10%) of the actual installation costs of the Required Improvements which the Developer is presently requesting the County to accept for maintenance, be executed prior to their acceptance by the County.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

1. That the developer herewith tenders unto the County a Surety Bond No. 5894929 in the amount of \$102,349.05 (Numbers), One Hundred Two Thousand Three Hundred Forty-Nine and 05/100 (Words), dated March 12, 1997, appended hereto and made a part hereof as Attachment "A" guaranteeing that the SAFECO INSURANCE COMPANY OF AMERICA (Surety Company), as Surety on the bond, shall pay this sum to Manatee County in accordance set forth herein.

CONDITIONS OF THE DEFECT SECURITY FOR THE BENEFIT OF THE COUNTY:

- A. This security is posted for the purpose of correcting any construction, design, or material defects or failures of or in the Required Improvements which the Developer is presently requesting the County to accept for maintenance, (Defects) which appear within ten (10) months from the date of the County's approval and acceptance of those required Improvements as evidenced by County's execution of this document.

For: Warranty Bond for River Pointe
Phase 1 Subdivision

- B. After identifying any such Defects, the County, after providing at least ten (10) days written notice to the Developer by certified mail, return receipt requested, may exercise its right to liquidate the Security for the purpose of correcting or causing the correction of the Defects and paying all costs thereof as provided herein. The costs of correcting shall include all costs of correcting Defects, including without limitation all engineering, legal, and contingent costs, together with any and all claims, costs, expenses, and damages, either direct or consequential, which the County may sustain on account of the Defects and correction thereof. The County may also liquidate the Security prior to the termination of the Surety Bond No. 5894929 if sufficient security is not posted to complete the 10 month duration of security required by Ordinance 90-01. Expiration of Defect Security for this project shall at no time occur during the ten (10) months following the County's approval and acceptance of the Required Improvements.

Any portion of the Security not used by the County may be released to the Surety upon a binding by the County Engineer that no further defects have been discovered.

Alternatively, the Developer, with the concurrence and at the option of the County, may undertake to correct such Defects itself upon posting additional security acceptable to the County.

2. Developer warrants the Required Improvements to be free from Defects, and agrees to indemnify and pay to the County the full cost of correction any such Defects appearing within ten (10) months of the date of the County's acceptance of the improvements without regard to the amount of this Security. Developer agrees to the use of the funds by the County as provided herein.

(Rev. Form No. 8423b:
Where Developer is a
Corporation)

FOR: Warranty Bond for River Pointe
Phase 1 Subdivision

SIGNED AND SEALED this 12th day of March, 19 97

WITNESSES:

M. B. Hill
Witness
M. B. Hill
Type or Print Name
E. A. Bradburn
Witness
E. A. Bradburn
Type or Print Name

CENTEX REAL ESTATE CORPORATION
Developer
BY: [Signature]
Signature
David L. Hahn
Type or Print Name
Division President
Title (If attorney-in-fact
attach Power of Attorney)
1819 Main Street, Suite 500
Postal Address
Sarasota Florida 34236
City State Zip


OR CORPORATE SEAL:



NOTARY ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 12th
day of MARCH, 19 97, by DAVID L. HAHN, as
Division President (Title), on behalf of the corporation
identified herein as Developer and who is personally known to me or
who has produced _____ (Type of Identification) as
identification and who did/did not take an oath.

NOTARY SEAL:  MARSHA SKUTT
My Comm Exp 12/25/99
Honored By Service Ins
No CC520821
 Personally Known Other ID

Marsha Skutt
Notary Public
MARSHA SKUTT
Print Name of Notary

Commission No. _____ My Commission Expires _____

Approved and accepted for and on behalf of Manatee County,
Florida, this 12th day of January, 19 98.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: [Signature]
Chairman

ATTEST: [Signature]
R. B. Shore
Clerk of the Circuit Court

RELEASED IN OPEN SESSION DEC 01 1998
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

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

River Point
Phase 1

SURETY BOND
FOR DEFECTS OF REQUIRED IMPROVEMENTS

BOND NO. 5894929

KNOW ALL MEN BY THESE PRESENTS:

That the Developer, CENTEX REAL ESTATE CORPORATION as principal, and SAFECO INSURANCE COMPANY OF AMERICA, a Surety Company, 550 N. Red St., Suite 100, Tampa, FL 33609, duly authorized to transact business in the State of Florida, are held and firmly bound unto the County of Manatee, State of Florida, as Obligee, in the sum of One Hundred Two Thousand Three Hundred Forty Nine and 05/100----- for the payment of which sum we jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns, for the specific benefit of the County in accordance with the conditions set forth herein and in Attachment "A".

THE CONDITION of the above obligation is such that, Whereas the Principal has entered into a contract, dated 3/12/97 with the obligation to warrant those Required Improvements which the Principal is presently requesting the Obligee to accept for maintenance to be free from defects or failures involving construction, design, or materials.

NOW THEREFORE, if the Obligee's inspection of the Required Improvements finds no defects within thirty-six (36) months from the date of the Obligee's approval and acceptance of those Required Improvements, then this obligation shall be null and void; otherwise this obligation shall remain in full force and effect. In the event the Defects are not remedied in accordance with the terms of the attached "Agreement in Conjunction with Surety Bond as Defect Security Warranting Required Improvements", which is hereby incorporated herein by reference, the Surety will forthwith pay to the Obligee the costs of correcting the Defects in an amount not exceeding the said sum specified above. The amount of money required to repair the defects shall be at the sole discretion of the County. Means of notification of intent to collect shall be by certified mail to the Surety at the address listed below. Payment will be made to the County within thirty (30) days by certified check drawn on behalf of the Board of County Commissioners at P.O. Box 1000, Bradenton, FL 34206.

River Point, Fla. 1

SURETY

SIGNED AND SEALED this 12th day of March, 1997

INDICATE COMPLETE ADDRESS OF SURETY TO WHICH CORRESPONDENCE CONCERNING THIS BOND SHOULD BE DIRECTED.

2800 West Higgins Road, Suite 1100
Address
Hoffman Estates, IL 60195
City State Zip

SAFECO INSURANCE COMPANY OF AMERICA

Surety

By:

[Signature]
Signature
Peter J. Klingler
Attorney-In-Fact

Type or Print Name & Title

WITNESS OR CORPORATE SEAL

[Signature]
Signature

Dolores Sandoval
Type or Print Name

Countersigned

By: [Signature]
George L. Frey,
Florida Resident Agent

NOTARY ACKNOWLEDGEMENT

STATE OF Florida
COUNTY OF Hillborough

The foregoing instrument was acknowledged before me this 12th day of March, 1997, by Peter J. Klingler as Attorney-In-Fact (Title), on behalf of the Surety identified herein, and who is personally known to me or who has produced _____ (Type of Identification) as identification and who did/did not take an oath.

NOTARY SEAL:



Constance C. Gutierrez
MY COMMISSION # CC534812 EXPIRES
February 21, 2000
BONDED THRU TROY FAIR INSURANCE, INC

Constance C. Gutierrez
Notary Public

[Signature]
Print Name of Notary

Commission No. CC534812

My Commission Expires 2-21-2000

RELEASED IN OPEN SESSION DEC 08 1998
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

FOR: _____

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

River Point Ph. 1

SIGNED AND SEALED this 12th day of March, 1997

WITNESSES:

M. B. Hahn
Witness

M. B. Hahn
Type or Print Name

C. A. Bradburn
Witness

C. A. Bradburn
Type or Print Name

CENTEX REAL ESTATE CORPORATION

Developer

BY:

[Signature]
Signature

David L. Hahn
Type or Print Name

Division President
Title (If attorney-in-fact attach Power of Attorney)

1819 Main Street, Suite 500

Postal Address

Sarasota Florida 34236
City State Zip

OR CORPORATE SEAL:



NOTARY ACKNOWLEDGEMENT

STATE OF FLORIDA

COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 18th day of MARCH, 1997, by DAVID L. HAHN, as DIVISION PRESIDENT (Title), on behalf of the corporation

identified herein as Developer and who is personally known to me or who has produced _____ (Type of Identification) as identification and who did/did not take an oath.

NOTARY SEAL:



MARSHA SKUTT
My Comm Exp 12/25/99
Bonded By Service Ins
No CC520821
 Personally Known Other

[Signature]
Notary Public
MARSHA SKUTT
Print Name of Notary

Commission No. _____

My Commission Expires _____

Approved and accepted for and on behalf of Manatee County, Florida, this 11th day of January, 1998.

BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

BY: [Signature]
Chairman

ATTEST: [Signature]
R. B. Shore
Clerk of the Circuit Court

JAN 06 1998
REPRODUCED IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY



POWER OF ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA
GENERAL INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

No. 10016

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint *****PETER J KLINGLER; Tampa, Florida*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 11 day of March, 19 97

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS . . . the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,
(i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,
the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

R. A. Pierson, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation
this 12th day of March, 19 97

RELEASED IN OPEN SESSION **DEC 08 1998**
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY



Manatee County
Clerk of the Circuit Court and Comptroller

R.B. "Chips" Shore

P.O. Box ~~XXXX~~ 25400 • Manatee County Courthouse • Bradenton, Florida 34206-~~XXXX~~ 5400 • (941) 749-1800 • FAX (941) 741-4682

BOND RELEASE

STATE OF FLORIDA
COUNTY OF MANATEE

December 8, 1998

This is to certify that the Board of County Commissioners of Manatee County, Florida, in Regular Session on the 8th day of December, 1998, did approve the release of the following bond:


SUBDIVISION: RIVER POINT SUBDIVISION, PHASE I
(Centex Real Estate Corporation,
Developer)

RELEASE: Agreement in Conjunction with Surety
Bond (Attachment "A") as defect
security warranting required
improvements and Surety Bond 5894929
from Safeco Insurance Company of
America, \$102,349.05.

ACCEPTED: 1/6/98

R. B. SHORE

CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA

BY: 
Susan G. Romine
Board Records
Supervisor

RBS: sgr
Enclosures

SATISFACTION OF JUDGMENT

The COUNTY OF MANATEE, FLORIDA, the owner and holder of that certain lien pursuant to the FINAL JUDGMENT created in and by that certain Judgment in Case Number 91-1849F in the Circuit Court in and for Manatee County, Florida, entered 9/6/91 against the Defendant Joseph Rogers, and recorded in Official Records Book 1349 Page 1945 of the Public Records of Manatee County, Florida, hereby acknowledges full payment and complete satisfaction thereof and directs the Clerk of the Circuit Court of said County to cancel same of record.

Executed on December 8, 1998.

COUNTY OF MANATEE, FLORIDA,
by and through its Board of
County Commissioners

By Tanicia M. Lane
Chairman

ATTEST: R. B. Shore
Clerk of the Circuit Court

R. B. Shore

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
SARASOTA, MANATEE, DEBOTO COUNTY, STATE OF FLORIDA

492653

STATE OF FLORIDA,
Plaintiff

vs.

Joseph Rogers

Defendant.

CASE NO. 91-1849 F

FILED FOR REC'D
R.B. SHORE
CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA
SEP 6 3 38 PM '91

ATTORNEY'S FEE AND COSTS

The undersigned, Assistant Public Defender S.A. Schaefer has rendered services for the above named Defendant in this action, and states that the following is a reasonable attorney's fee and the costs incurred:

- 1. SUGGESTED ATTORNEY'S FEE \$ 200.00
- 2. COURT COSTS:
 - Court Reporter \$ _____
 - Transcription of Deposition hereby Certified by the undersigned as having served a useful purpose in disposition \$ _____
 - Mental Health \$ _____
 - Other \$ _____
- 3. TOTAL COSTS \$ _____
- 4. TOTAL ATTORNEY'S FEE AND COSTS \$ 200.00

FILED AND RECORDED
R.B. SHORE, CLERK
MANATEE COUNTY, FL

SEP 17 12 37 PM '91

ELLIOTT C. METCALFE, JR.
PUBLIC DEFENDER

By: Wendy L. Jacobs
Assistant Public Defender

FINAL JUDGMENT ASSESSING ATTORNEY'S FEE AND COSTS

The above named Defendant, whose address is:

3701 17th Ave W, Bradenton, FL

having been declared indigent, or partially indigent, and having received the assistance of the Public Defender, Twelfth Judicial Circuit, appointed pursuant to the Florida Statutes or Florida Rules of Criminal Procedure, and said Defendant having entered a plea of guilty or no contest and thereby been sentenced in the above-styled causes, it is hereby,

ORDERED AND ADJUDGED as follows:

- 1. That the sum of \$ 200.00 is determined to be a reasonable attorney's fee for the services rendered Defendant up to date of this Judgment, and the sum of \$ _____ is determined as costs expended by the County on behalf of the abovesigned Defendant.
 - 2. That Manatee County does have, receive and recover from the above-named Defendant the total sum of \$ 200.00 for which let execution issue.
 - 3. That Defendant shall pay said fee and costs to the Clerk of the Court, Manatee County, Florida.
- DONE AND ORDERED this 16 day of Sept 1991 in Manatee County, Florida.

Thomas Little
JUDGE

AFC/Rev. 11/88

R.B. SHORE, CLERK OF CIRCUIT COURT
BY: hg

CLERK OF THE CIRCUIT COURT - MANATEE COUNTY
R. B. "CHIP" SHORE
P.O. BOX 25400 BRADENTON, FL 34206

ROGERS, JOSEPH RONALD
3701 17TH AVE W
BRADENTON
FL 34205

PAYOR/MEMO:
ID NO: 91001849 F

CR RT 23046613 12/01/98 16:27

PDL PUBLIC DEFEND LIENS 001 0000002090260000 200.00

TOTAL 200.00

OFFICE HOURS *****8:30 AM - 5:00 PM
PROMPT AND COURTEOUS SERVICE IS OUR GOAL

THIS RECEIPT MUST BE VALIDATED
BY CENTRAL CASHIERING
D U P L I C A T E

SATISFACTION OF JUDGMENT

The COUNTY OF MANATEE, FLORIDA, the owner and holder of that certain lien pursuant to the FINAL JUDGMENT created in and by that certain Judgment in Case Number 97-2274T in the County Court in and for Manatee County, Florida, entered June 10, 1998, against the Defendant James St. Fleur, and recorded in Official Records Book 18182 Page 4057 of the Public Records of Dade County, Florida, hereby acknowledges full payment and complete satisfaction thereof and directs the Clerk of the Circuit Court of said County to cancel same of record.

Executed on December 8, 1998.

COUNTY OF MANATEE, FLORIDA,
by and through its Board of
County Commissioners

By Patricia M. Shaw
Chairman

ATTEST: R. B. Shore
Clerk of the Circuit Court

By Susan M. Romine

STATE OF FLORIDA.
Plaintiff

MANATEE COUNTY, STATE OF FLORIDA

vs.

James St. Fleur
Defendant.

CASE NO. 97-2274 T

MOTION TO ASSESS ATTORNEY'S FEE AND COSTS

Having represented the Defendant in this cause and having incurred the costs listed below, the undersigned Assistant Public Defender (or Special Assistant Public Defender), pursuant to the requirements of F.S. 27.56(1)(a), hereby states that the following is a reasonable attorney's fee, and the costs incurred, are:

- | | | |
|---|-----|------------|
| 1. SUGGESTED ATTORNEY'S FEE | \$ | <u>100</u> |
| 2. COURT COSTS (F.S. 27.56): | | |
| *Deposition and Transcription Costs | \$ | _____ |
| *Expert Witness fees and expenses | \$ | _____ |
| *Other: | \$ | _____ |
| *As Shown on Attached Exhibit | \$ | _____ |
| Less Clerk's cost (\$50 Misc. or \$200 Fel.) | -\$ | _____ |
| 3. PUBLIC DEFENDER APPLICATION FEE (\$40.00) (F.S. 27.52) | \$ | <u>40</u> |
| 4. TOTAL ATTORNEY'S FEE AND COSTS | \$ | <u>140</u> |

ELLIOTT C. METCALFE, JR.
PUBLIC DEFENDER

OR

By: _____
Special Assistant Public Defender

By: [Signature]
Assistant Public Defender

FINAL JUDGMENT ASSESSING ATTORNEY'S FEE AND COSTS

The above named Defendant, whose date of birth is: 12/20/62 and whose address is:

560 N.W. 111th St. Miami, FL.

having been declared indigent, and having received the assistance of the Public Defender (or Special Public Defender), Twelfth Judicial Circuit, appointed pursuant to the Florida Statutes or Florida Rules of Criminal Procedure, and said Defendant having been sentenced in the above-styled cause(s), it is hereby,

ORDERED AND ADJUDGED as follows:

1. That the sum of \$ 140 is determined to be a reasonable attorney's fee and Court costs for the services rendered Defendant up to the date of this Judgment, and Manatee County does have, receive and recover from the above-named Defendant said sum, for which let execution issue.
2. That Defendant shall pay said fee and costs to the Clerk of Court, Manatee County, Florida.
3. That the Clerk of Court shall record a certified copy of this Final Judgment in the Public Records of Manatee County, Florida, and mail a copy to the office of the attorney for said County.

DONE AND ORDERED this 10 day of June, 1998, in Manatee County, Florida.

JUDGE

[Signature]

Address of Lienholder
Manatee County
1115 Manatee Avenue West
Bradenton, FL 34205

STATE OF FLORIDA COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 10 day
June 19 98 Office:
R B SHORE
Clerk of Circuit Court

By: [Signature] DC

EX 1558 PG 3494 INT# 1131801
FILED AND RECEIVED 06/10/98 8:32AM 1 of 1
R.B. SHORE CLERK OF CIRCUIT COURT MANATEE COUNTY FL

15 10 11
MANATEE COUNTY FLORIDA

CRIMINAL DEFENDANT PAYMENT HISTORY REPORT

CODE SCREEN KEY 9/08/27/91

CASE 97 002274 IL DEFENDANT R

STATE OF ILLINOIS VERSUS SCOTT OR, JAMES

01 PUBLIC DEFENDER FEE 100.00

1 09/11/98 RECEIPT - 2304406.3 30.00
11/29/98 RECEIPT 23046306. 100.00
BALANCE: .00

00 BOND ESTIMATE .00

3 02/23/98 RECEIPT - 23036752 100.00
4 02/23/98 RECEIPT - 23036752 200.00
5 02/23/98 RECEIPT - 23036752 500.00

ADDITIONAL PAYMENT INFORMATION

Compton 17226103

GABRIEL DEFENDANT PAYMENT HISTORY NEXT PERIOD

CODE - SCREEN KEY 97062741

CASE 97-000274-1L DEFENDANT A

STATE OF FLORIDA VERGUS STEELER, JAMES

09 PROBATION C.O.S. 177.00

6 02/12/98 RECEIPT# - 23037384 300.00

7 02/23/98 RECEIPT# - 21847039 5.00

75 INDIAN CRIM DEFENSE 401.00

8 08/21/98 RECEIPT# - 73094301 45.00

Balance 177.00

SATISFACTION OF JUDGMENT

The COUNTY OF MANATEE, FLORIDA, the owner and holder of that certain lien pursuant to the provisions of Section 27.56 of the Florida statues created in and by that certain Judgment in Case Number 98-1334JD, against the Parent(s) or Guardian(s):
George and Julie Glennon, and recorded in Official Records Book 1572 Page 7937 of the Public Records of Manatee County, Florida, hereby acknowledges full payment and complete satisfaction thereof and directs the Clerk of the Circuit Court of said County to cancel same of record.

Executed on December 8, 1998.

COUNTY OF MANATEE, FLORIDA,
by and through its Board of
County Commissioners

By: *Fabricio M. Flores*
Chairman

ATTEST: R. B. Shore
Clerk of the Circuit Court

By *Susan S. Romo de*

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
MANATEE COUNTY, STATE OF FLORIDA, JUVENILE DIVISION

FILE FOR RECORD
IN THE INTEREST OF: R.B. SHORE
CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

J.G.
A Child

1998 OCT 28 | A 11:25

CASE NO: 98-1334JD

MOTION TO ASSESS ATTORNEY'S FEE AND COSTS

Having represented the Child in this cause and having incurred the costs listed below, the undersigned Assistant Public Defender, pursuant to the requirements of F.S. 27.52(2)(d) and F.S. 39.041, hereby states that the following is a reasonable attorney's fee, and the costs incurred, are:

- SUGGESTED ATTORNEY'S FEE \$ 100.00
- COURT COSTS (F.S. 27.56):
 - *Deposition and Transcription Costs ... \$ _____
 - *Expert Witness fees and expenses \$ _____
 - *Other: \$ _____
 - *As shown on Attached Exhibit \$ _____
- TOTAL COURT COSTS \$ _____
- PUBLIC DEFENDER APPLICATION FEE (\$40.00) (F.S. 27.52) \$40.00
- TOTAL ATTORNEY'S FEE AND COSTS \$ 140.00

ELLIOTT C. METCALFE, JR.
PUBLIC DEFENDER

By: DIL
Assistant Public Defender

FINAL JUDGMENT ASSESSING ATTORNEY'S FEE AND COSTS

The Court finds that the following persons:

- J.G., above child, DOB 1/1/87 SSN: _____
Address: 502 70th St. Holmes Beach, FL 34217
- Julia Glennon, the Parent, DOB 1/1 SSN: _____
Address: 502 70th St. Holmes Beach FL 34217
- George Glennon, the Parent, DOB 1/1 SSN: _____
Address: 502 70th St. Holmes Beach FL 34217
- _____, the Legal Guardian, DOB 1/1 SSN: _____
Address: _____

have received the assistance of the Public Defender, Twelfth Judicial Circuit appointed pursuant to the requirements of F.S. 27.52(2)(d) and F.S. 39.041, said Child having been sentenced in the above-styled cause(s), it is hereby,

ORDERED AND ADJUDGED as follows:

- That the sum of \$ 140.00 is determined to be a reasonable attorney fee and Court costs for the services rendered Child up to the date of the Judgment, and Manatee County does have, receive and recover from the above-named Parents(s) or Legal Guardian said sum, for which let execution issue.
- That and the above-named Parents or Legal Guardian shall pay said fee and costs to the Clerk of Court, Manatee County, Florida.
- That the Clerk of Court shall record a certified copy of the Final Judgment in the Public Records of Manatee County, Florida, and mail a copy to the office of the attorney for said County.

DONE AND ORDERED this _____ day of 10/23, 19____, in Manatee County, Florida.

Address of Lienholder
Manatee County
1115 Manatee Avenue West
Bradenton, FL 34205

STATE OF FLORIDA, CLERK OF COURT
JUDGE: _____
Witness my hand and official seal this _____ day of _____, 19____.
R.B. SHORE
Clerk of Circuit Court

FILED AND RETURNED 10/30/98 10:30AM 1 of 1
R.B. SHORE, CLERK OF CIRCUIT COURT, MANATEE COUNTY
BK 1572 PG 7937 DKT# 1174910

CLERK OF THE CIRCUIT COURT - MANATEE COUNTY
R. B. "CHIEF" SHORE
P.O. BOX 25480 BRADENTON, FL 34209

J.B.
562 70TH ST
WILMES BEACH
FL 34217

PAYER/REND: COMPUTER DDMH
ID NO: 361334J

CR PS 18946760 12/04/98 10:33

ICD	INDG CRIM DEF STATE	001	00000002070700000000	ADD. 00
PDL	PUBLIC DEFEND LENS	001	00000002070700000000	100.00

TOTAL 140.00

OFFICE HOURS *****8:30 AM - 5:00 PM
PROMPT AND COURTEOUS SERVICE IS OUR GOAL

THIS RECEIPT MUST BE VALIDATED
BY CENTRAL CASHIERING
D U P L I C A T E

MANATEE COUNTY GOVERNMENT

December 1, 1998

MEMORANDUM

TO: Susan Romine
Board Records

DR
FROM: Deborah Carey-Reed
Purchasing Division

RECEIVED

DEC 2 1998

BOARD RECORDS

SUBJECT: Contract Documents for IFB 984081DC
Emergency Generator Shelters
Chartier Development Co., Inc.

Please have the Chairman execute the enclosed contract (two copies) as authorized by the Board on November 3, 1998 per Agenda attached.

Distribution of copies:

- Original copy to Board Records and Chartier Development ✓
- Signature page to Purchasing and Project Management ✓

Thank you.

/dcr
Enclosure

cc: Tim Hochuli, Project Management

Note: There is only one copy each of bonds and insurance certificate which are to be retained for Clerk's files.

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

21

SUBJECT Emergency Generator Shelters	TYPE AGENDA ITEM Consent
DATE REQUESTED November 3, 1998	DATE SUBMITTED/REVISED October 22, 1998
BRIEFINGS?/WHO? No	CONSEQUENCES IF DEFERRED N/A
DEPARTMENT/DIVISION Financial Management/Purchasing	AUTHORIZED BY TITLE Jim Seuffert Director
CONTACT PERSON TELEPHONE/EXTENSION Janet McAfee, Project Mgmt., 5047 Tom McGucken, Purchasing, 3046	PRESENTER/TITLE TELEPHONE/EXTENSION Janet McAfee, PMD Director - 5047

ADMINISTRATIVE APPROVAL

ACTION DESIRED

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

Authorization to award IFB 984081DC, Emergency Generator Shelters, to the lowest responsive, responsible bidder meeting specifications, Chartier Development Co., Inc., Sarasota, Florida, in the amount of \$163,786; and authorization for Chairman to subsequently execute contract and date performance/payment bonds and acceptance of insurance certificate.

ENABLING/REGULATING AUTHORITY

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

Ordinance 84-02, Procurement Code, Article 3

BACKGROUND DISCUSSION

- This procurement provides for the construction of five concrete buildings to house/protect emergency portable generators located at the various treatment plants. Project was initially bid in April '97 and all bids were rejected based on budget considerations. The Bid Document reflects a reduced scope in order to bring the project within budget. This is a Capital Improvement Project.

Continued on Page 2

HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED? Indicate "NO" or "YES" @ right.
If "NO," proceed to A/1B below. If "YES," proceed to 2A/2B below

No

1) IF "NO" TO ABOVE:

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

Not required (CAO reviewed and prepared contract documents, forms, and affidavits approximately 1985)

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

1997

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) Charter Development Letter
- 2) Charter Development Protest
- 3) County Administrator's Response
- 4) Tabulation of Bids
- 5) Contractor's License

INSTRUCTIONS TO BOARD RECORDS

None

COST \$163,786

SOURCE (ACCT# & NAME) 4046019580/02000 60195800004 (Cap Improv)

COMMENTS None

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

Tom McAfee

WORLD WIDE BONDING AGENCY
2495 MAIN ST. SUITE 209
BUFFALO, NY 14214-2152
PHONE (716) 837-8724
FAX (716) 837-8731
TOLL FREE 800-831-3143/TOLL FREE FAX 800-823-3143

NOVEMBER 20, 1998

R.C. CUTHBERT, CPM
MANATEE COUNTY GOVERNMENT
1112 MANATEE AVENUE WEST
EIGHTH FLOOR
BRADENTON, FL 34205

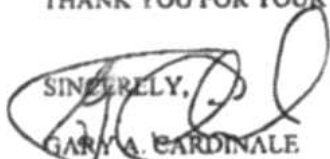
RE: CHARTIER DEVELOPMENT CO., INC.

DEAR MR. CUTHBERT:

WORLD WIDE BONDING AGENCY IS THE REGIONAL REPRESENTATIVE FOR THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA THAT ISSUED THE PERFORMANCE AND PAYMENT BOND FOR CHARTIER DEVELOPMENT CO., INC. IN REFERENCE TO THE EMERGENCY GENERATOR SHELTERS PROJECT. I AM THE ATTORNEY IN FACT FOR THE SURETY COMPANY AND I AM GIVING YOU MY WRITTEN AUTHORIZATION TO DATE THE BONDS YOU HAVE YOUR POSSESSION.

IF YOU HAVE ANY QUESTIONS, CALL THE ABOVE TOLL FREE 800 NUMBER, EXT 202.
THANK YOU FOR YOUR COOPERATION.

SINCERELY,



GARY A. CARDINALE
ATTORNEY-IN-FACT



CEDAR HAMMOCK FIRE CONTROL DISTRICT

5200 26th Street West, Bradenton, Florida 34207

Phone (813) 751-7090, Fax (813) 751-7095, SUNCOM 599-7090

RECEIVED

NOV 30 1998

BOARD RECORDS

November 20, 1998

The Honorable Richard B. Shore
Manatee County Clerk of the Circuit Court
1115 Manatee Ave. West
Bradenton, Fl. 34205

RE: 1998/99 Meeting Schedule - Revised

Gentlemen:

At the Board of Fire Commissioners meeting on November 19, 1998, the time of regular meetings for the fiscal year beginning October 1, 1998 through September 30, 1999, was revised and a copy is enclosed for your records.

If you have any questions or require any additional information, do not hesitate to contact us.

Sincerely

Richard B. Fulwider
Fire Chief
Cedar Hammock Fire Control District

Enclosures 1

FIRE CHIEF
Richard B. Fulwider

BOARD OF COMMISSIONERS

K. C. Corigliano
Maria Prieto
Fred Vandergraff
Vicki J. Waters
Robert J. Workman

"Protection
Through

ACCEPTED
IN OPEN SESSION
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY
DEC 08 1998



CEDAR HAMMOCK FIRE CONTROL DISTRICT

5200 26th Street West, Bradenton, Florida 34207

Phone (813) 751-7090, Fax (813) 751-7095, SUNCOM 599-7090

**REVISED
1998/99 FISCAL YEAR
SCHEDULE OF REGULAR MEETINGS
CEDAR HAMMOCK FIRE CONTROL DISTRICT
10/01/98 - 09/30/99**

FIRE CHIEF
Richard B. Fulwider

BOARD OF COMMISSIONERS

K. C. Corigliano

Maria Prieto

Fred Vandergraff

Vicki J. Waters

Robert J. Workman

The following schedule of regular meetings of the Cedar Hammock Fire Control District has been established for the Board of Fire Commissioners. All meetings are scheduled for the first and third Thursday of the month. The second meeting of each month is considered the primary meeting. All meetings are held at the district's administrative office which is located at 5200 26th Street West, Bradenton, Manatee County, Florida, 34207, beginning at 6:00 p.m. local time, unless otherwise indicated.

MONTH	DATE	TIME
October, 1998	10/01/98 & 10/15/98	8:30 a.m.
November, 1998	11/05/98 & 11/19/98	8:30 a.m.
December, 1998	12/03/98 & 12/17/98	6:00 p.m.
January, 1999 (Organizational)	01/07/99 & 01/21/99	6:00 p.m.
February, 1999	02/04/99 & 02/18/99	6:00 p.m.
March, 1999	03/04/99 & 03/18/99	6:00 p.m.
April, 1999	04/01/99 & 04/15/99	6:00 p.m.
May, 1999 (Proposed Rate Establishment)	05/06/99 & 05/20/99	6:00 p.m.
June, 1999	06/03/99 & 06/17/99	6:00 p.m.
July, 1999	07/01/99 & 07/15/99	6:00 p.m.
August, 1999	08/05/99 & 08/19/99	6:00 p.m.
September, 1999 (Proposed Budget Adoption & Tax Appeals Hearing)	09/02/99 & 09/16/99	6:00 p.m.

To be published ASAP

*"Protection
Through*

ACCEPTED

DEC 14 1998

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY

