

Access and Maintenance Easement Individual

This instrument prepared by:
Joaquin Servia, Manager, Property Acquisition
Property Management Department
P.O. Box 1000
Bradenton, Florida 34206



PROJECT # 6028801
PARCEL # E-148.2
DP # 4069600007

SPACE ABOVE THIS LINE FOR RECORDING DATA

**PERMANENT ACCESS AND MAINTENANCE EASEMENT
FOR CLEARING AND SNAGGING OF WARES CREEK**

THIS INDENTURE, made this 13th day of October, 2010, between **Joan A. Petersen**, whose mailing address is 27964 Gopher Hill Road, Myakka City, Florida, 34251-4104, as Grantor, and **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, as Grantee.

WITNESSETH

That said Grantors, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents do grant, bargain, sell and transfer unto Grantee, a *perpetual non-exclusive maintenance and access easement to the County of Manatee for clearing, snagging and maintenance of Wares Creek* through and across the following described property situate in the County of Manatee, State of Florida, more particularly described as follows:

See legal description identified
as Exhibit "A" attached hereto

This is a non-exclusive access and maintenance easement with the **Grantors** reserving unto itself, its heirs, successors or assigns, the right to continued free use and enjoyment of the property herein described, for any purposes which are not inconsistent with the rights granted herein unto the **Grantee**.

The property described herein does not constitute the homestead of the Grantor.

ACCEPTED IN OPEN SESSION

NOV 16 2010

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

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

Signed, sealed and delivered in the presence of:

SELLER:

Tracey Starrett
First Witness

Joan A. Petersen (SEAL)

Tracey Starrett
Printed Name

Printed Name: Joan A. Petersen

Allen Merrill
Second Witness

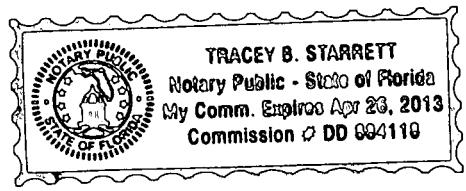
ARLENA DOMINICK
Printed Name

(Signature of two witnesses required by law)

STATE OF FLORIDA

COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 13th day of October, 2010 by Joan A. Petersen, who is personally known to me or who has produced driver's license as identification.



Tracey B. Starrett
NOTARY PUBLIC Signature

Tracey B. Starrett
Printed Name

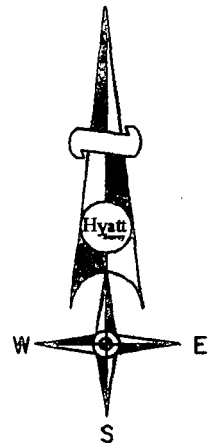
ACCEPTED IN OPEN SESSION

NOV 16 2010

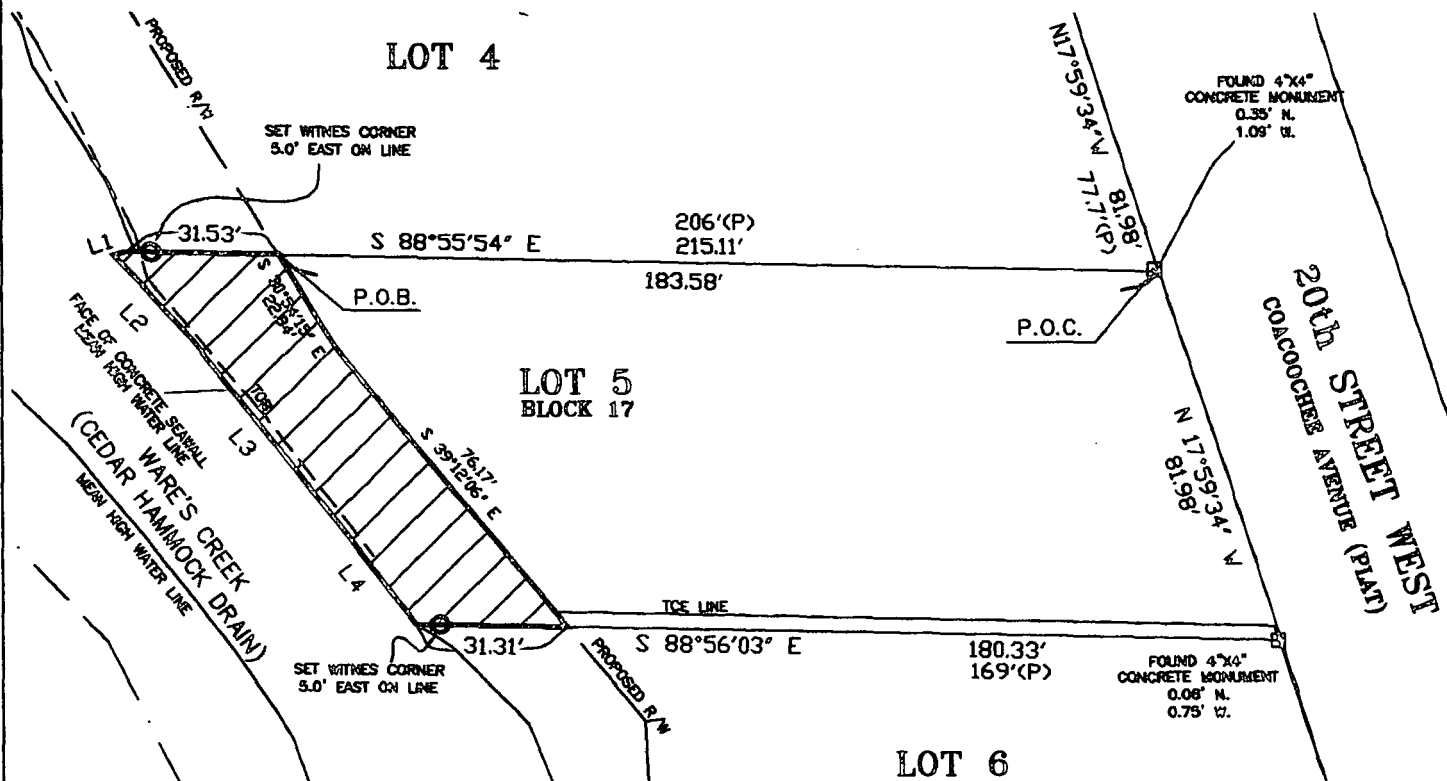
BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

EXHIBIT A

LINE TABLE		
LINE	LENGTH	BEARING
L1	2.66	N73°16'49"E
L2	23.84	N42°05'54"W
L3	46.37	N37°55'34"W
L4	29.77	N37°34'28"W



Scale: 1" = 40'



NOTE:
FOR DESCRIPTIVE PURPOSE ONLY,
THIS IS NOT A SURVEY.

FOR: MANATEE COUNTY

REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.
REVISED: 3/28/05
REVISED: 1/15/05

PAMELA A. HYATT, P.S.M.
Florida Surveyor's Reg'n. No. LS 5550
NOT VALID WITHOUT THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER.

TITLE
ACCESS AND MAINTENANCE EASEMENT
E-148.2 PARCEL 40696.00007
STATION 57+03 TO 58+07

Hyatt Survey Services, Inc.
LB No.: 7203 Geographic Data Specialists
11007 8th Avenue East Bradenton, Florida 34212
Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 03-1073	SECTION 34	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 40'	DATE 12/29/04	DRAWN BY PAH	FILE NAME 40696-00007	SHEET 1 OF 2
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EXHIBIT A

THAT PART OF LOT 5, BLOCK 17, FAIRVIEW PARK ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 228 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 5 FOR A POINT OF COMMENCEMENT; THENCE N 88°55'54" W, ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 183.58 FEET FOR A POINT OF BEGINNING;

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CONTAINING 2360 SQUARE FEET.

REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.

FOR: MANATEE COUNTY

REVISED: 1/15/05

TITLE ACCESS AND MAINTENANCE EASEMENT E-148.2 PARCEL 40696.00007 STATION 57+03 TO 58+07					Hyatt Survey Services, Inc. <small>LB No.: 7203 Geographic Data Specialists</small> <small>11007 8th Avenue East Bradenton, Florida 34212</small> <small>Phone (941) 748-4693 Fax (941) 744-1643</small>				
JOB NUMBER 03-1073	SECTION 34	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE ----	DATE 12/29/04	DRAWN BY PAH	FILE NAME 40696-00007	SHEET 2 OF 2	

Clerk of the Circuit Court - Manatee County
R.B."Chips" Shore
P.O. Box 25400 Bradenton FL 34206
Visit our website: "www.manateeclerk.com"

INVOICE

MAN CO PROJECT MGT
ATTN: MAGGIE HAMILTON

RECEIPT
#1 of #1

001.133000

AR PAYOR: AR300026 GOMC Book# 2360 Page# 2141

DOC TYPE: EAS CALC AMOUNT: \$0.00

PAGES: 4 FILE# 002866999

Receipt: 490068914 11/22/10 1:39PM

By: FGERNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEE\$
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R	RECORDING FEES	001	000000341100	0	17.00
R	CLERK CT TECH FUND	199	000000341160	0	7.60
R	FL ASSOC COURT CLERK	001	000000208911	0	0.40
R	BD OF COUNTY COMM	001	000000208912	0	8.00



RECEIPT TOTAL: \$35.50
GRAND TOTAL: \$35.50

Receipt#
490068914 thru 490068914

OFFICE HOURS *****8:30 AM - 5:00 PM
"Pride in Service with a Vision to the Future"



Affidavit of Ownership and Encumbrances

This instrument prepared by:
Joaquin Servia, Manager, Property Acquisition
Property Management Department
P.O. Box 1000
Bradenton, Florida 34206

**PROJECT #465-6028801
PARCEL # E-148.2
D.P. # 4069600007**

=====SPACE ABOVE THIS LINE FOR RECORDING DATA=====

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF FLORIDA

COUNTY OF MANATEE

BEFORE ME, the undersigned authority, this day personally appeared **Joan A. Petersen**, whose mailing address is 27964 Gopher Hill Road, Myakka City, Florida, 34251-4104, who being first duly sworn, depose/s and say/s:

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:

Tenant: Francine Guy

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.

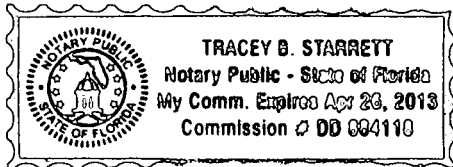
5. That there are no claims, demands, liens or judgments outstanding against the above described property and the Grantor is not indebted to anyone for any such Property, except as set forth in paragraph 3 of this affidavit.

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

Joan A. Petersen
Joan A. Petersen
Printed Name

10/13/10
Date

SWORN to and subscribed before me this 13th, day of October, 2010 by **Joan A. Petersen**, who is personally known to me or who has produced driver's license as identification.

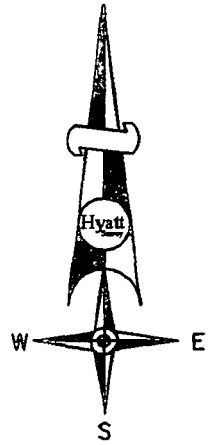


Tracey B. Starrett
NOTARY PUBLIC Signature

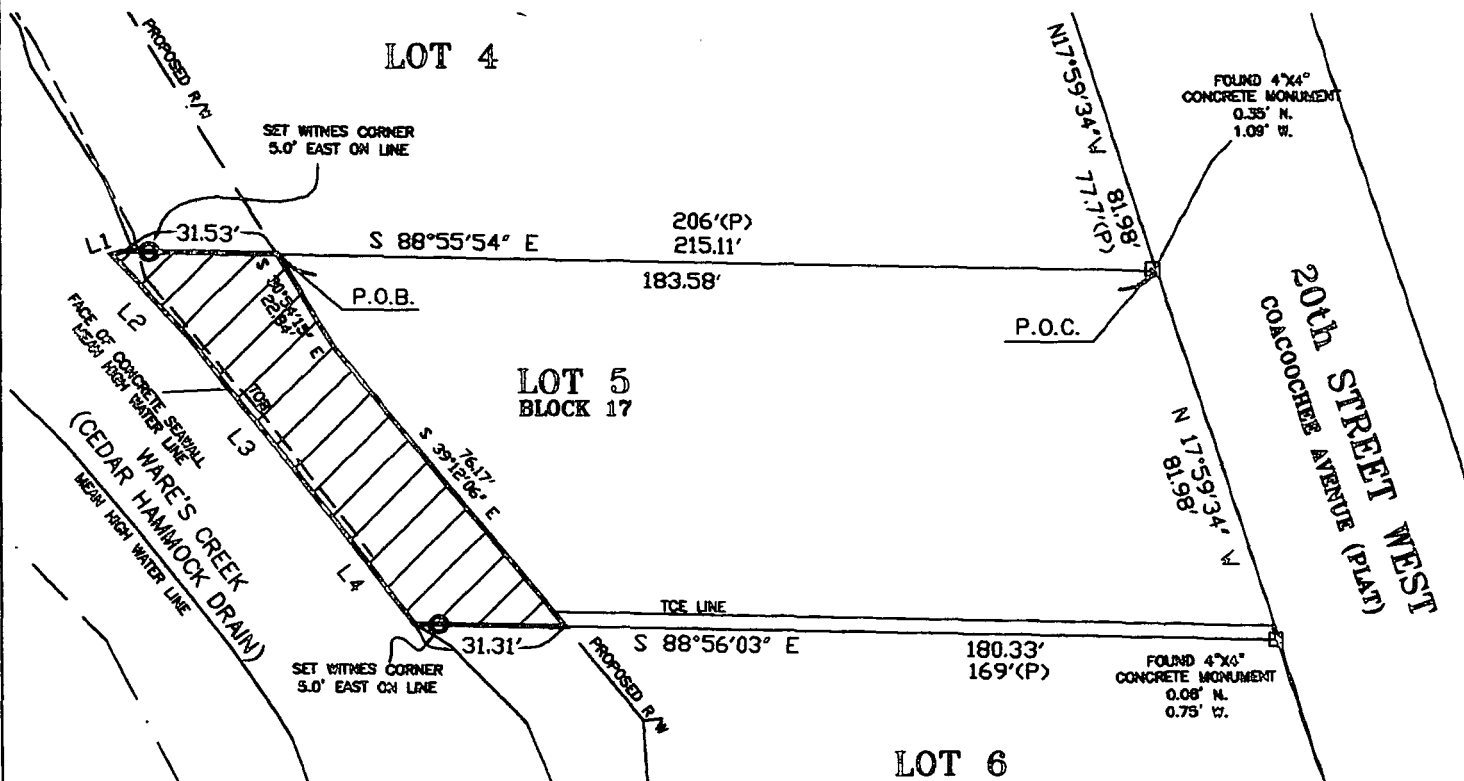
Tracey B. Starrett
Printed Name

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FOR: MANATEE COUNTY

REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.
REVISED: 3/28/05
REVISED: 1/15/05

Pamela A. Hyatt
PAMELA A. HYATT, P.S.A.
Florida Surveyor's Reg'n. No. 1S 5550
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

TITLE
ACCESS AND MAINTENANCE EASEMENT
E-148.2 PARCEL 40696.00007
STATION 57+03 TO 58+07

Hyatt Survey Services, Inc.
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Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 03-1073	SECTION 34	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 40'	DATE 12/29/04	DRAWN BY PAH	FILE NAME 40696-00007	SHEET 1 OF 2
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REVISED: 1/15/05

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INVOICE

MAN CO PROJECT MGT
ATTN: MAGGIE HAMILTON

RECEIPT
#1 of #1

001.133000

AR PAYOR: AR300026 GOMC Book# 2360 Page# 2133

DOC TYPE: AFF CALC AMOUNT: \$0.00

PAGES: 4 FILE# 002866997

Receipt: 490068912 11/22/10 1:38PM

By: FGERNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEE\$
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R	RECORDING FEES	001	000000341100	0	17.00
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RECEIPT TOTAL: \$35.50
GRAND TOTAL: \$35.50

Receipt#
490068912 thru 490068912

OFFICE HOURS *****8:30 AM - 5:00 PM
"Pride in Service with a Vision to the Future"

Quit Claim Deed Individual

This instrument prepared by:
Joaquin Servia, Manager, Property Acquisition
Property Management Department
P.O. Box 1000
Bradenton, Florida 34206



Project # 6028801
Parcel # E-148.2
Parcel ID # 4069600007

=====SPACE ABOVE THIS LINE FOR RECORDING=====

QUIT CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 1ST day of ~~September~~ October, A.D. 2010, between **Francine Guy**, Grantor, whose mailing address is: 1112 20th Street West, Bradenton, Florida 34205 and the **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, Grantee:

WITNESSETH, that the said Grantor, for and in consideration of the sum of \$1.00 in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said Grantee forever, **all the right, title, interest, claim and demand which the said Grantor has across the following described property** situate, lying and being in the County of Manatee, State of Florida, more particularly described as follows:

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

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

*Remainder of page intentionally left blank
Signature page to follow*

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

Signed, sealed and delivered in the presence of:

Jackie Fralish
Witness Signature

Francine Guy
Grantor

Jackie Fralish
Printed Name

Francine Guy
Printed Name

Elizabeth A. Trent
Witness Signature

1112 20th Street West
Bradenton, Fl 34205
Post Office Address

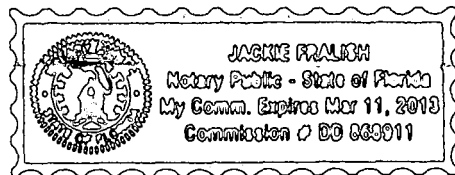
Elizabeth A. Trent
Printed Name

(Signature of two witnesses required by law)

STATE OF FLORIDA

COUNTY OF MANATEE

The foregoing Quit Claim Deed was acknowledged before me this 4th day of October, 2010 by **Francine Guy**, who is personally known to me or who has produced FL DL Lic G 000254638220 as identification.

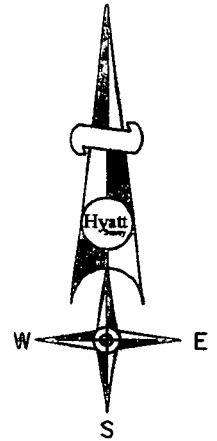


Jackie Fralish
NOTARY PUBLIC Signature

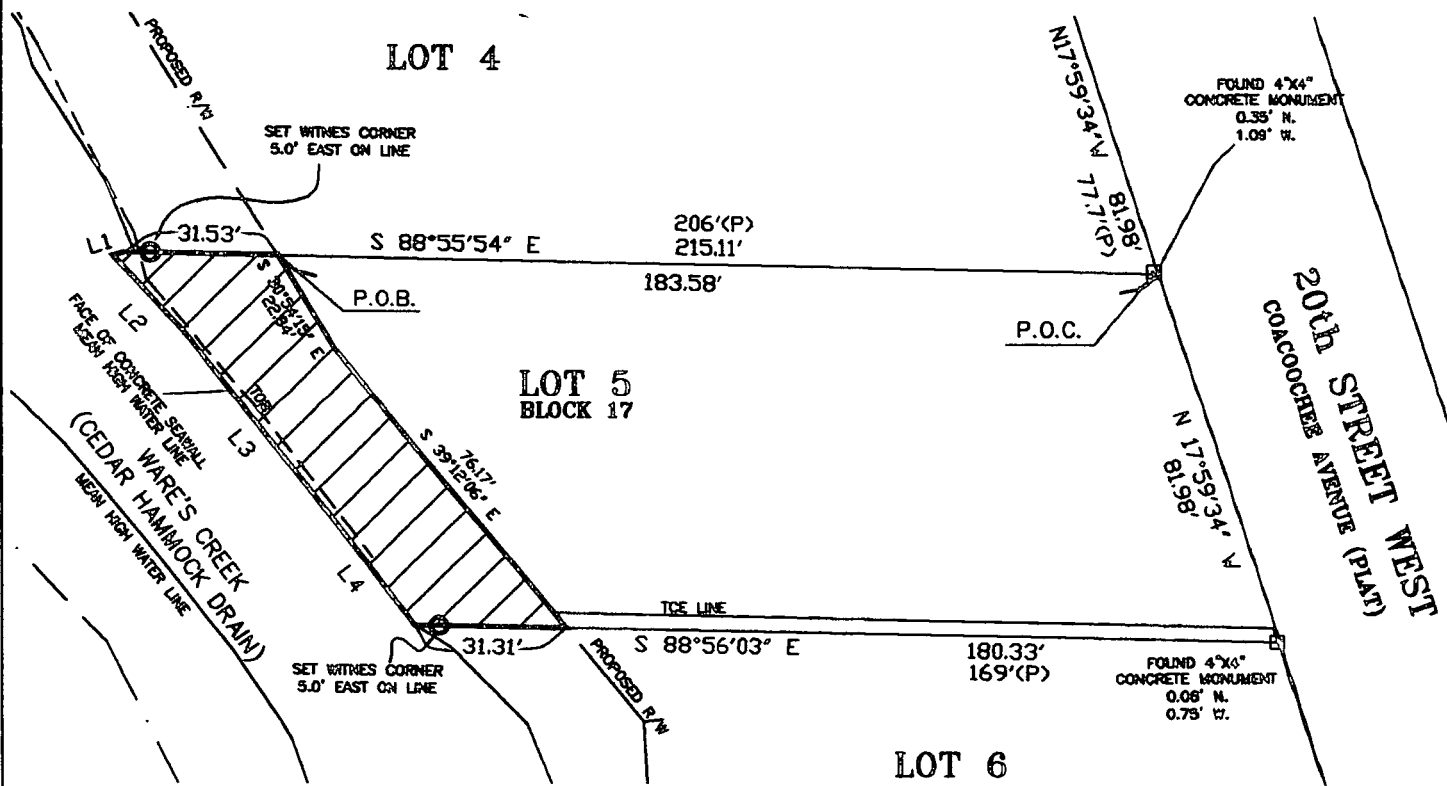
Jackie Fralish
Printed Name

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REVISED: 3/28/05
REVISED: 1/15/05

FOR: MANATEE COUNTY

Pamela A. Hyatt
 PAMELA A. HYATT, P.S.M.
 Florida Surveyor's Reg'n. No. LS 5550

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

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REVISED: 1/15/05

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Visit our website: "www.manateeclerk.com"

INVOICE

MAN CO PROJECT MGT
ATTN: MAGGIE HAMILTON

RECEIPT
#1 of #1

001.133000

AR PAYOR: AR300026 GOMC Book# 2360 Page# 2137
DOC TYPE: D CALC AMOUNT: \$0.00
Receipt: PAGES: 4 FILE# 002866998
490068913 11/22/10 1:38PM

By: FGERNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEE\$
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R	RECORDING FEES	001	000000341100	0	17.00
R	CLERK CT TECH FUND	199	000000341160	0	7.60
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RECEIPT TOTAL: \$35.50
GRAND TOTAL: \$35.50

Receipt#
490068913 thru 490068913

OFFICE HOURS *****8:30 AM - 5:00 PM
"Pride in Service with a Vision to the Future"

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	Wares Creek Stormwater Improvement Project - Parcel #E148.2	TYPE AGENDA ITEM	Consent
DATE REQUESTED	November 16, 2010	DATE SUBMITTED/REVISED	November 1, 2010
BRIEFINGS? Who?	N/A	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Property Management/Property Acquisition Division	AUTHORIZED BY TITLE	Charlie Bishop, Director Property Management Department <i>CMB</i>
CONTACT PERSON TELEPHONE/EXTENSION	Barbara Carter/Extension 3009	PRESENTER/TITLE TELEPHONE/EXTENSION	Joaquin Servia, Property Acquisition Division Manager, Extension 3021 <i>Jos</i>
ADMINISTRATIVE APPROVAL		<i>[Signature]</i>	

ACTION DESIRED INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED
<p>Acceptance of, authorization to record, Permanent Access and Maintenance Easement for Clearing and Snagging of Wares Creek from Joan A. Petersen required for the Wares Creek Stormwater Improvement project, Phase II.</p> <p>Authorization to record Affidavit of Ownership and Encumbrances from Joan A. Petersen.</p> <p>Authorization to record, Quit Claim Deed from Francine Guy, Tenant.</p>

ENABLING/REGULATING AUTHORITY Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy
Comp Plan – Goal 11.3 – Reduces Flooding and Improves surface Water Quality.

BACKGROUND/DISCUSSION
<ul style="list-style-type: none"> • The original Wares Creek project was approved in the FY 1990-FY 1995 CIP, with funding scheduled to begin in FY 1995. The first costs associated with the project were for cost sharing with the Army Corp of Engineers for a study of the Wares Creek project. In later CIPs, funding was scheduled for design costs and limited land acquisition costs. • The subject property is located at 1112 20th Street West and is improved with a single family residence. • A 30 foot wide Access and Maintenance Easement is required on this property for "clearing and snagging" to ease the flow of water in Wares Creek. The property within the easement will remain viable for use by the owner in that non-permanent items could be placed within this area. • On September 28, 2010, the BCC executed the contract for the purchase of the access easement in the amount of \$32,479, inclusive of attorney fees and expert costs. • Conveyance documents are hereby presented to the BCC for acceptance and recording.

COUNTY ATTORNEY REVIEW		<p><i>APPROVED IN OPEN SESSION</i></p> <p>NOV 19 2010</p> <p>BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY, FLORIDA</p>
Check appropriate box		
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: ____)	
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)	
<input checked="" type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)	
<input type="checkbox"/>	OTHER	

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
1) Easement 2) Affidavit 3) Quit Claim Deed 4) Location Map		Please provide Barbara Carter, Property Acquisition with recording information. CCC Charge Account #AR 300026 Project Management	
COST:	\$106.50 (Recording Fee)	SOURCE (ACCT # & NAME):	465-6028801-561000-6028801-0003 Wares Creek Stormwater Improvement Project-Stormwater Capital Improvement Funding Source
COMMENTS:	N/A	AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	N/A

WARES CREEK STORMWATER IMPROVEMENT PROJECT

