

PROJECT #6074770
PARCEL #804
ID #58901.0360/9

**CONTRACT FOR PURCHASE
OF A UTILITY EASEMENT**

THIS AGREEMENT, entered into by and between **TRY MOR, LLC, a Florida limited liability company**, as owner of the following described property, whose mailing address is **2125 West Washington Street, West Bend, Wisconsin 53095**, hereinafter "Seller", and the COUNTY OF MANATEE, a political subdivision of the State of Florida, with its principal offices located in the Manatee County Government Administration Center, 1112 Manatee Avenue West, Bradenton, Florida 34205, hereinafter "Buyer":

WITNESSETH:

That in consideration of the mutual covenants herein contained and other good and valuable consideration, the parties hereto agree that the Seller shall sell and the Buyer shall buy, upon the following terms and conditions, the following described real property which is located in the County of Manatee, State of Florida:

See legal description identified as Exhibit "A" attached hereto

It is further agreed by and between the parties as follows:

1. The PURCHASE PRICE shall be.....**\$500.00**
The full amount of the purchase price, subject to adjustment upon closing as hereinafter provided, shall be paid at the time of closing this transaction, same being the time at which Seller shall deliver to the Buyer a Utility Easement as required by this contract.

2. TITLE EVIDENCE: Due to the nature of this conveyance, Seller will not be required to furnish an Abstract of Title or Title Insurance. Buyer may conduct whatever title search Buyer deems necessary. Prior to or during closing, Seller shall deliver to Buyer an Affidavit of Ownership and Encumbrances. If Buyer notifies Seller of existing title defects other than those to which the conveyance is to be made subject by the terms of this Agreement and other than those for which recordable discharges are, in accordance with local custom, to be furnished at the closing, then Seller shall promptly make a diligent effort to perfect the title to the extent called for by this Agreement.

3. RECORDING: Buyer shall pay for the cost of recording the Utility Easement.

4. CLOSING: This transaction shall be closed on or before _____. Closing shall be held in the county wherein property is located, at the following location 1112 Manatee Avenue West, Bradenton, Florida 34205, or other location agreeable to both parties.

5. MORTGAGES, LIENS AND OTHER ENCUMBRANCES: Seller shall furnish to Buyer at the time of closing releases or satisfaction of any mortgages or other liens encumbering or affecting Seller's clear title to the real or personal property to be purchased.

6. BROKER'S FEE: Buyer will pay no commission to any broker in connection with the purchase and sale of the above-described property, and Seller warrants that it has assumed no obligation to pay any such commission in connection therewith.

7. UTILITY EASEMENT: Seller shall deliver to the Buyer a good, sufficient, and properly recordable Utility Easement conveying to Buyer marketable title to the above-described property, subject only to any restrictive covenants, reservations, building lines or setbacks, and easements of record, and any County zoning restrictions or regulations in effect.

8. SPECIAL PROVISIONS: In the event the lending institution requires a fee for processing the Partial Release of Mortgage, this contract serves as authorization for the Manatee County Clerk of the Circuit Court Finance Department to issue a check for payment of said fee.

IN WITNESS WHEREOF, the parties hereto have executed this Contract for Purchase, this 3rd day of November, 2010.

SELLER: Try Mor, LLC

Signed, sealed, and delivered in the presence of:

Bonnie Schaefer

Witness

Bonnie Schaefer

Printed Name

Janet Didier

Witness

Janet Didier

Printed Name

[Signature]
General Partner **Michael P. Hickmann, Manager**

BUYER:

COUNTY OF MANATEE, FLORIDA,
by and through its BOARD OF
COUNTY COMMISSIONERS:

By: [Signature]
Chairman

12/7/2010

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

By: Diane E. Vollmer, D.C.

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

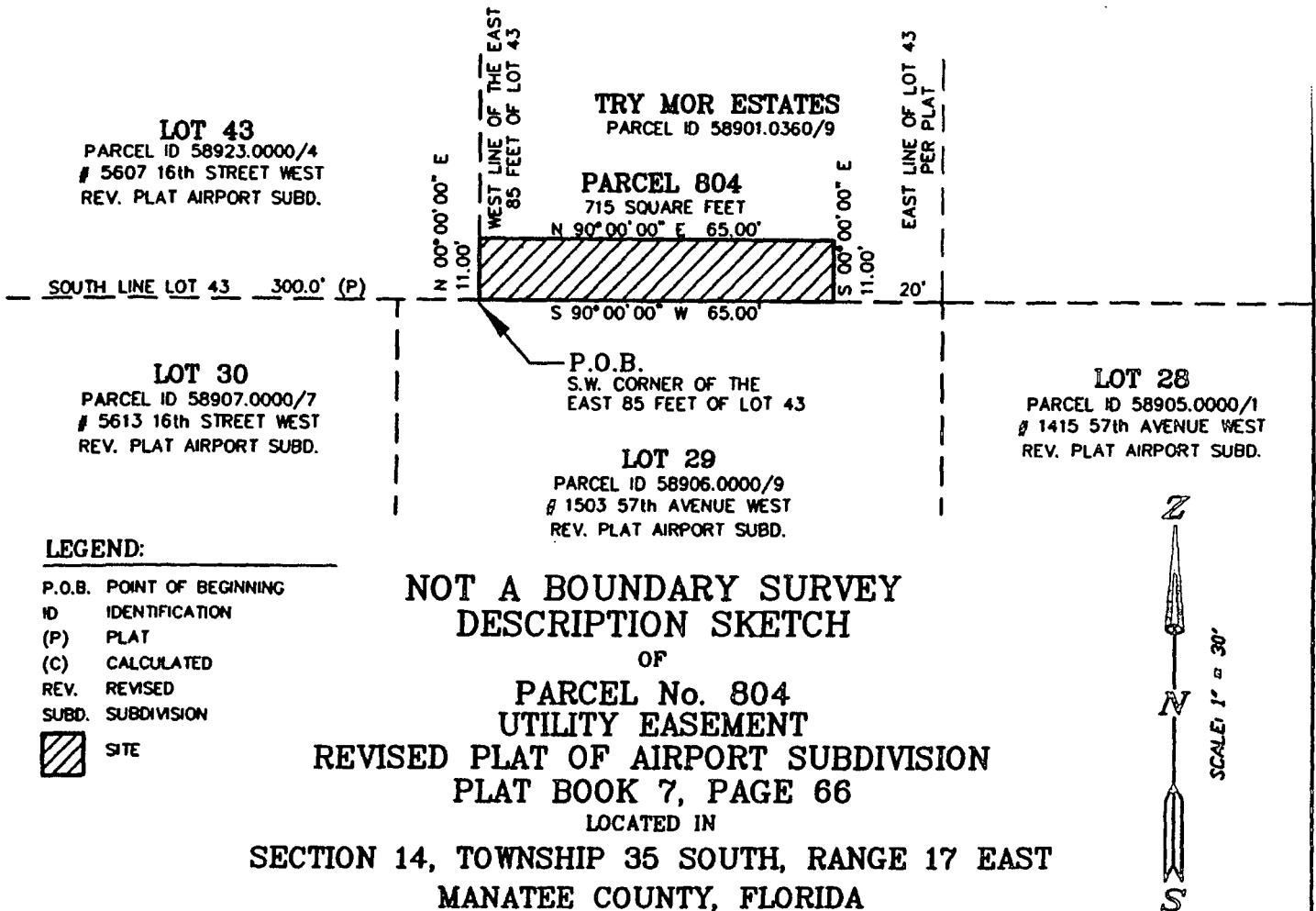


DESCRIPTION:


A PARCEL OF LAND BEING A PORTION OF LOT 43 OF THE REVISED PLAT OF AIRPORT SUBDIVISION IN SECTION 14, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 66 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE EAST 85.00 FEET OF SAID LOT 43; THENCE N 00° 00' 00" E, ALONG THE WEST LINE OF SAID EAST 85.00 FEET, A DISTANCE OF 11.00 FEET; THENCE N 90° 00' 00" E, A DISTANCE OF 65.00 FEET; THENCE S 00° 00' 00" E, A DISTANCE OF 11.00 FEET; THENCE S 90° 00' 00" W, ALONG THE SOUTH LINE OF SAID LOT 43, A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 715 SQUARE FEET, MORE OR LESS.



LEGEND:

- P.O.B. POINT OF BEGINNING
- ID IDENTIFICATION
- (P) PLAT
- (C) CALCULATED
- REV. REVISED
- SUBD. SUBDIVISION
-  SITE


**NOT A BOUNDARY SURVEY
 DESCRIPTION SKETCH
 OF
 PARCEL No. 804
 UTILITY EASEMENT
 REVISED PLAT OF AIRPORT SUBDIVISION
 PLAT BOOK 7, PAGE 66
 LOCATED IN
 SECTION 14, TOWNSHIP 35 SOUTH, RANGE 17 EAST
 MANATEE COUNTY, FLORIDA**

NOTES:

1. BEARINGS ARE BASED ON THE NORTH LINE OF LOT 29, HAVING AN ASSUMED BEARING OF N 90° 00' 00" E, AND DO NOT REFER TO THE TRUE MERIDIAN.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY AS SUCH.

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

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 81G17, FLORIDA ADMINISTRATIVE CODE.

BY: 
 JAMES N. GATCH, JR., P.S.M.
 FLORIDA CERTIFICATE NO. LS 4295
 DATE OF CERTIFICATION : 08/28/09

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**MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT	Suburban System Water Lines II Easement Acquisition	TYPE AGENDA ITEM	Consent
DATE REQUESTED	December 7, 2010	DATE SUBMITTED/REVISED	November 15, 2010
BRIEFINGS? Who?	N/A	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Property Management Property Acquisition	AUTHORIZED BY TITLE	Charlie H. Bishop, Director Property Management Department <i>CHB</i>
CONTACT PERSON TELEPHONE/EXTENSION	Bill Pearce/6281	PRESENTER/TITLE TELEPHONE/EXTENSION	Joaquin Servia, Division Manager, Property Acquisition / Extension 3021 <i>[Signature]</i>
ADMINISTRATIVE APPROVAL <i>[Signature]</i>			
ACTION DESIRED INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED			
Authorization for Chairman to execute a Contract for Purchase of a Utility Easement from Try Mor LLC, for a utility easement over property located at 5624 14 th Street West, required for the replacement of a portion of the Suburban Water Lines, Parcel 804 at a cost of \$500.			
ENABLING/REGULATING AUTHORITY Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy			
Comp plan: - Goal 9.5-9.6 addresses the potable water system.			
BACKGROUND/DISCUSSION			
<ul style="list-style-type: none"> Construction of the Suburban Water Lines II was supported from 2006 Utilities Bonds. An additional 715 square feet of right-of-way is required as a utility easement for the replacement of the subject water line. On November 3, 2010, the owner executed a Contract for Purchase of a Utility Easement in the amount of \$500. The above compensation is a negotiated figure involving both the owner and owner's attorney's time in reviewing the documents and working with the bank to sign the required Joinder. This eliminates the cost of a real estate appraisal and/or the cost of condemnation proceedings. It is, therefore, recommended that the BCC execute the contract in the amount of \$500. 			
COUNTY ATTORNEY REVIEW			
Check appropriate box	APPROVED IN OPEN SESSION		
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)	DEC 07 2010 BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY, FLORIDA	
<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: <i>Emailed 12/8/10 [Signature]</i>	
1) Contract 2) Location Map		Please return a copy of the executed contract to Bill Pearce, Property Acquisition, Property Management Department, with a copy of the Contract to Christy Cultrera in Finance. CCC Charge Account # AR300026 Project Management <i>Per Bill</i>	
COST:	\$500 Contract	SOURCE (ACCT # & NAME):	412-6074770-561000-6074770-0003 Suburban Water Lines II- 2006 Utilities Bonds
COMMENTS:	N/A	AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	N/A

Try Mor LLC
5624 14th Street West
ID#58901.0360/9

Project No. 6074770
Utility Easement
Suburban System Waterlines II
DISTRICT 4
COMMISSIONER
ROBIN DISABATINO