

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	Force Main 1A Whitfield Subdivision Easement Acquisition	TYPE AGENDA ITEM	Consent
DATE REQUESTED	February 8, 2011	DATE SUBMITTED/REVISED	January 25, 2011
BRIEFINGS? Who?	N/A	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Property Management Property Acquisition	AUTHORIZED BY TITLE	Charlie H. Bishop, Director, Property Management <i>CHB</i>
CONTACT PERSON TELEPHONE/EXTENSION	Bill Pearce / 6281	PRESENTER/TITLE TELEPHONE/EXTENSION	Joaquin Servia, Division Manager Property Acquisition / Extension 3024 <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			
<p>Acceptance of, authorization to record, a Utility Easement from Allen Investments of Sarasota, LLC for an easement over property located at 6915 14th Street West, required for the replacement of a force main along US 41 (Tamiami Trail), Whitfield Estates Subdivision, Parcel 804.</p> <p>Authorization to record, Affidavit of Ownership and Encumbrances from Allen Investments of Sarasota, LLC.</p> <p>Authorization to record, Joinder from Northern Trust Bank of Florida, N.A.</p> <p>Authorization to record, Disclaimer from Travis Boats & Motors, LLC.</p>			
ENABLING/REGULATING AUTHORITY Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy			
Comp plan: - Goal 11.2 addresses sanitary sewer systems			
BACKGROUND/DISCUSSION			
<ul style="list-style-type: none"> • Construction of the force main along US 41 (Tamiami Trail) was originally approved in the 2005-2009 adopted CIP. • On January 11, 2011, the BCC approved a Contract to the owner in the amount of \$38,075. • The aforementioned documents are hereby presented to the BCC for acceptance and recording. 			
COUNTY ATTORNEY REVIEW			
Check appropriate box	APPROVED IN OPEN SESSION FEB 08 2011 BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY, FLORIDA		
<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) Utility Easement 4) Disclaimer 2) Affidavit 5) Location Map 3) Joinder		Please notify Bill Pearce, Property Management Department, at extension 6281 regarding recording information. CCC Charge Account #AR300026; Project Management <i>MA 2/17/11</i>	
COST:	\$ 74 Recording Fees	SOURCE (ACCT # & NAME):	404-6062280-561000-6062280-0003 Water & Sewer Capital Project Force Main 1A replacement, Whitfield Subdivision
COMMENTS:	N/A	AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	N/A

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



Project#6052280
Parcel# 804
ID#67311.0005/0

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

THIS INDENTURE, made this 2nd day of December, 2010, between **ALLEN INVESTMENTS OF SARASOTA, LLC**, a Florida limited liability company, its heirs, successors, or assigns, whose mailing address is: 2710 Dick Wilson Drive, Sarasota, Florida 34240, hereinafter referred to as the "Grantor", in consideration of the mutual benefits to be derived and other good and valuable consideration, does hereby grant and set over unto the **COUNTY OF MANATEE**, a political subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida, 34206, hereinafter referred to as the "Grantee", **a non-exclusive access easement for ingress, egress, construction, installation, maintenance and reading of water meters** through and across real property located in Manatee County, Florida, described as follows:

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

This is a nonexclusive utility easement with the Grantor reserving unto itself, its heirs, successors, or assigns, the right to the 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.

IN WITNESS WHEREOF, the Grantor has caused these presents to be duly executed, the day and year above written.

Signed, sealed, and delivered in the presence of

ALLEN INVESTMENTS OF SARASOTA, LLC
a limited liability company

[Signature]
Witness F. Ralph Tirabassi
Printed Name Sandra K. Dunbar
Witness Sandra K. Dunbar
Printed Name

[Signature]
Managing Member
David S. Allen, Jr.
Printed Name

(Signature of two witnesses required by law)

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 2nd day of December, 2010, by David S. Allen, Jr., Managing Member of **ALLEN INVESTMENTS OF SARASOTA, LLC**, a Florida limited liability company, on behalf of the company, who is personally known to me or who has produced _____ as identification.

ACCEPTED IN OPEN SESSION

[Signature]
NOTARY PUBLIC Signature
Printed Name

FEB 08 2011

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



E. RALPH TIRABASSI
MY COMMISSION # DD 631753 EXPIRES
February 18, 2011
BONDED THRU TROY FAHN INSURANCE, INC.

EXHIBIT "A"



ZNS ENGINEERING

ENGINEERS
EB 0027476

PLANNERS
LB 0006962

SURVEYORS
LC 0000365

LANDSCAPE ARCHITECTS

ENVIRONMENTAL CONSULTANTS

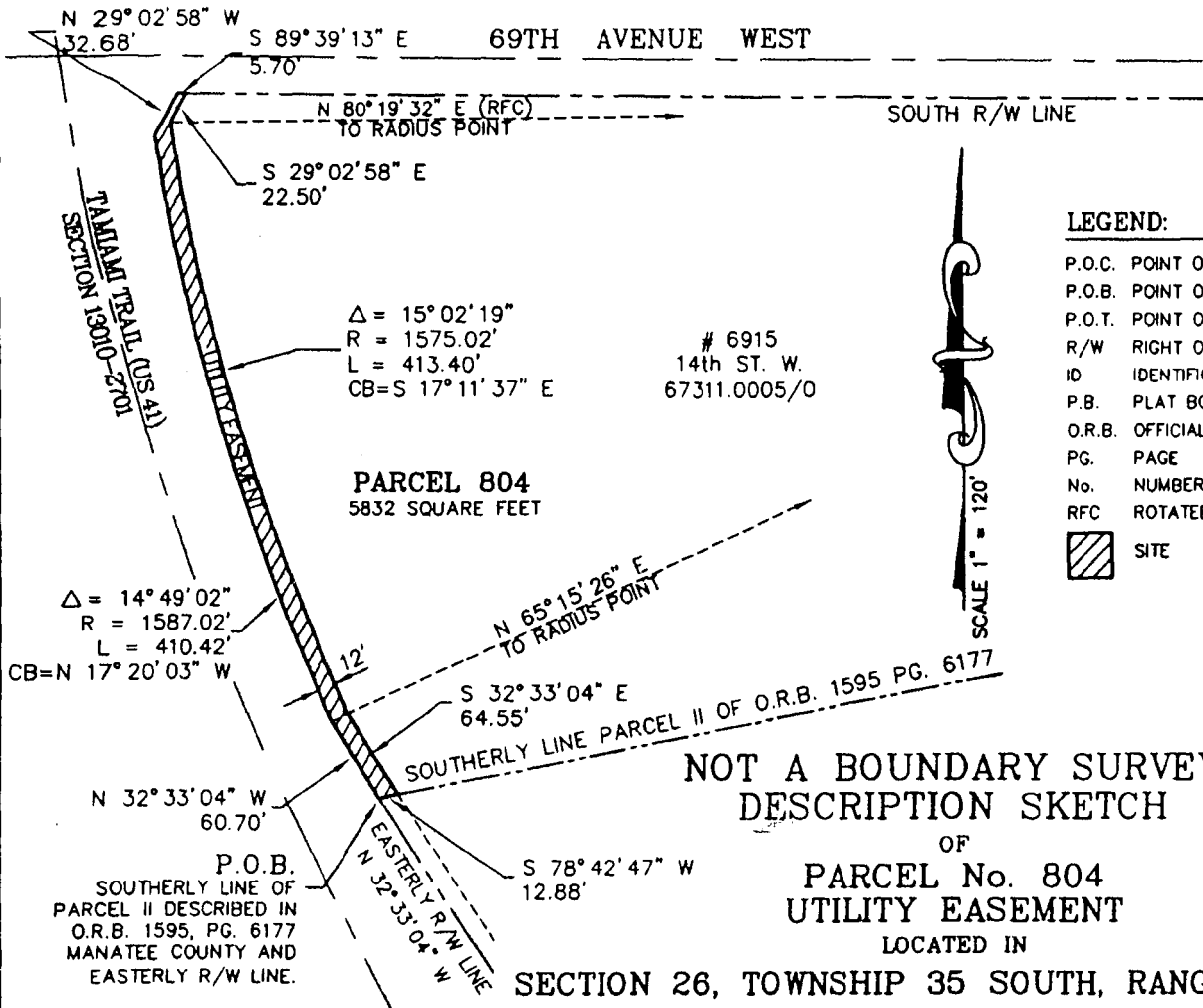
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 478-3747

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 26, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTHERLY LINE OF PARCEL II AS DESCRIBED IN OFFICIAL RECORDS BOOK 1595, PAGE 6177 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND THE EASTERLY RIGHT-OF-WAY LINE OF TAMIAHI TRAIL (US 41, SECTION 13010-2701); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE COURSES (1) N 32° 33' 04" W, A DISTANCE OF 60.70 FEET TO A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES N 65° 15' 26" E, A DISTANCE OF 1587.02 FEET (2) ALONG THE ARC OF SAID CURVE IN A NORTHERLY DIRECTION, A DISTANCE OF 410.42 FEET THROUGH A CENTRAL ANGLE OF 14° 49' 02" (3) N 29° 02' 58" W, A DISTANCE OF 32.68 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF 69TH AVENUE WEST; THENCE S 89° 39' 13" E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 5.70 FEET; THENCE S 29° 02' 58" E, A DISTANCE OF 22.50 FEET TO A POINT ON THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N 80° 19' 32" E, A DISTANCE OF 1575.02 FEET; THENCE ALONG THE ARC OF SAID CURVE IN A SOUTHERLY DIRECTION, A DISTANCE OF 413.40 FEET THROUGH A CENTRAL ANGLE OF 15° 02' 19"; THENCE S 32° 33' 04" E, A DISTANCE OF 64.55 FEET TO AN INTERSECTION WITH SAID SOUTHERLY LINE OF PARCEL II; THENCE S 78° 42' 47" W, ALONG SAID SOUTHERLY LINE OF PARCEL II, A DISTANCE OF 12.88 FEET TO THE POINT OF BEGINNING.

CONTAINING 5832 SQUARE FEET, MORE OR LESS.



LEGEND:

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINUS
- R/W RIGHT OF WAY
- ID IDENTIFICATION
- P.B. PLAT BOOK
- O.R.B. OFFICIAL RECORD BOOK
- PG. PAGE
- No. NUMBER
- RFC ROTATED FOR CLARITY
- SITE

**NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH**

**OF
PARCEL No. 804
UTILITY EASEMENT
LOCATED IN**

**SECTION 26, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA**

NOTES:

1. BEARINGS ARE BASED ON THE EAST RIGHT OF WAY LINE OF 14TH STREET WEST (US 41) BEING N 32° 33' 04" W AND DO NOT REFER TO THE TRUE MERIDIAN.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY AS SUCH.

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T:\MANATEE\ForceMoin26-35-17\Parcels\Par4.dwg
DR Job. No. 00-41978

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

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER SJ-17, FLORIDA ADMINISTRATIVE CODE.

BY:
JAMES N. GATCH JR., P.S.M.
FLORIDA CERTIFICATE No. LS 4295
DATE OF CERTIFICATION : 03/22/10

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: BILLIE MC LEOD EXT 5086

RECEIPT
#1 of #1

001.133000

FL

AR PAYOR: AR300026 GOMC Book# 2369 Page# 957

DOC TYPE: EAS CALC AMOUNT: \$0.00

PAGES: 2 FILE# 002889588

Receipt: 410161290 2/10/11 9:15AM

By: HHOOEY

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	1.50
R	RECORDING FEES	001	000000341100	0	9.00
R	CLERK CT TECH FUND	199	000000341160	0	3.80
R	FL ASSOC COURT CLERK	001	000000208911	0	0.20
R	BD OF COUNTY COMM	001	000000208912	0	4.00



RECEIPT TOTAL: \$18.50

GRAND TOTAL: \$18.50

Receipt#
410161290 thru 410161290

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

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



Project #6052280
Parcel #804
I.D. #67311.0005/0

-----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 DAVID S. ALLEN, JR., as Managing Member of ALLEN INVESTMENTS OF SARASOTA, LLC, a Florida limited liability company, whose mailing address is 2710 Dick Wilson Drive, Sarasota, Florida 34240, who being first duly sworn, deposes and says:

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

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

2. That the Owner plans to convey the Property to the COUNTY OF MANATEE, FLORIDA, (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:

Amended and Restated Mortgage in favor of Northern Trust Bank of Florida, dated July 2, 1999, and recorded in OR Book 1602, page 2696, in the Public Records of Manatee County, Florida.

Lease in favor of Travis Boats & Motors, LLC., dated July 6, 2006, and recorded in OR Book 2143, Page 7126 of the Public Records of Manatee County, Florida.

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

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

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

ALLEN INVESTMENTS OF SARASOTA, LLC
a limited liability company

By: [Signature]
Managing Member
David S. Allen, Jr.
Printed Name

SWORN to or affirmed and subscribed before me this 2nd day of December 2010 by David S. Allen, Jr., Managing Member, of ALLEN INVESTMENTS OF SARASOTA, LLC, a Florida limited liability company, on behalf of company, who is personally known to me or has produced _____ as identification.

[Signature]
NOTARY PUBLIC Signature



E. RALPH TIRABASSI
MY COMMISSION # DD 631753 EXPIRES February 18, 2011
BONDED THRU TROY FAIN INSURANCE, INC.

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: BILLIE MC LEOD EXT 5086

RECEIPT
#1 of #1

001.133000

FL

AR PAYOR: AR300026 GOMC Book# 2369 Page# 931

DOC TYPE: AFF CALC AMOUNT: \$0.00

PAGES: 1 FILE# 002889565

Receipt: 410161287 2/10/11 9:07AM

By: HHOOEY

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
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R	RECORDING FEES	001	000000341100	0	5.00
R	CLERK CT TECH FUND	199	000000341160	0	1.90
R	FL ASSOC COURT CLERK	001	000000208911	0	0.10
R	BD OF COUNTY COMM	001	000000208912	0	2.00

RECEIPT TOTAL: \$10.00

GRAND TOTAL: \$10.00

Receipt#
410161287 thru 410161287

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

Joinder Corporate

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



PROJECT #6052280
PARCEL #804
ID #67311.0005/0

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

JOINDER

WHEREAS, NORTHERN TRUST BANK OF FLORIDA, N.A., whose mailing address is **1515 Ringling Boulevard, Sarasota, Florida 34236**, hereinafter referred to as the "Mortgagee" is the owner and holder of that certain mortgage dated the 2nd day of July 2010, and recorded in Official Records Book 1602, Page 2696 of the Public Records of Manatee County, Florida, covering the hereinafter described real property, and

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

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

IN WITNESS WHEREOF, the Mortgagee has caused this Joinder to be duly executed this 2nd day of December 2010.

Signed, sealed and delivered in the presence of:

(CORPORATE SEAL)

Linda M. Fairbank
Witness Signature
Linda M. Fairbank
Printed Name

E. Ralph Tirabassi
Witness Signature
E. RALPH TIRABASSI
Printed Name

(Signature of two witnesses or secretary required by law)

STATE OF
COUNTY OF

NORTHERN TRUST BANK OF FLORIDA, N.A.
Corporation
BY: Donna Dudo
VICE President Signature
Printed Name

ATTEST: _____
Secretary Signature
Printed Name

The foregoing instrument was acknowledged before me this 2nd day of December 2010 by Donna Dudo, VICE President (name and title of agent) of NORTHERN TRUST BANK OF FLORIDA, N.A., a Florida corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.



E. RALPH TIRABASSI
MY COMMISSION # DD 631753 EXPIRES
February 18, 2011
BONDED THRU TROY FAIN INSURANCE, INC

E. Ralph Tirabassi
NOTARY PUBLIC Signature
Printed Name

EXHIBIT "A"



ZNS ENGINEERING

ENGINEERS
EB 0027476

PLANNERS
LB 0006982

SURVEYORS
LC 0000365

LANDSCAPE ARCHITECTS

ENVIRONMENTAL CONSULTANTS

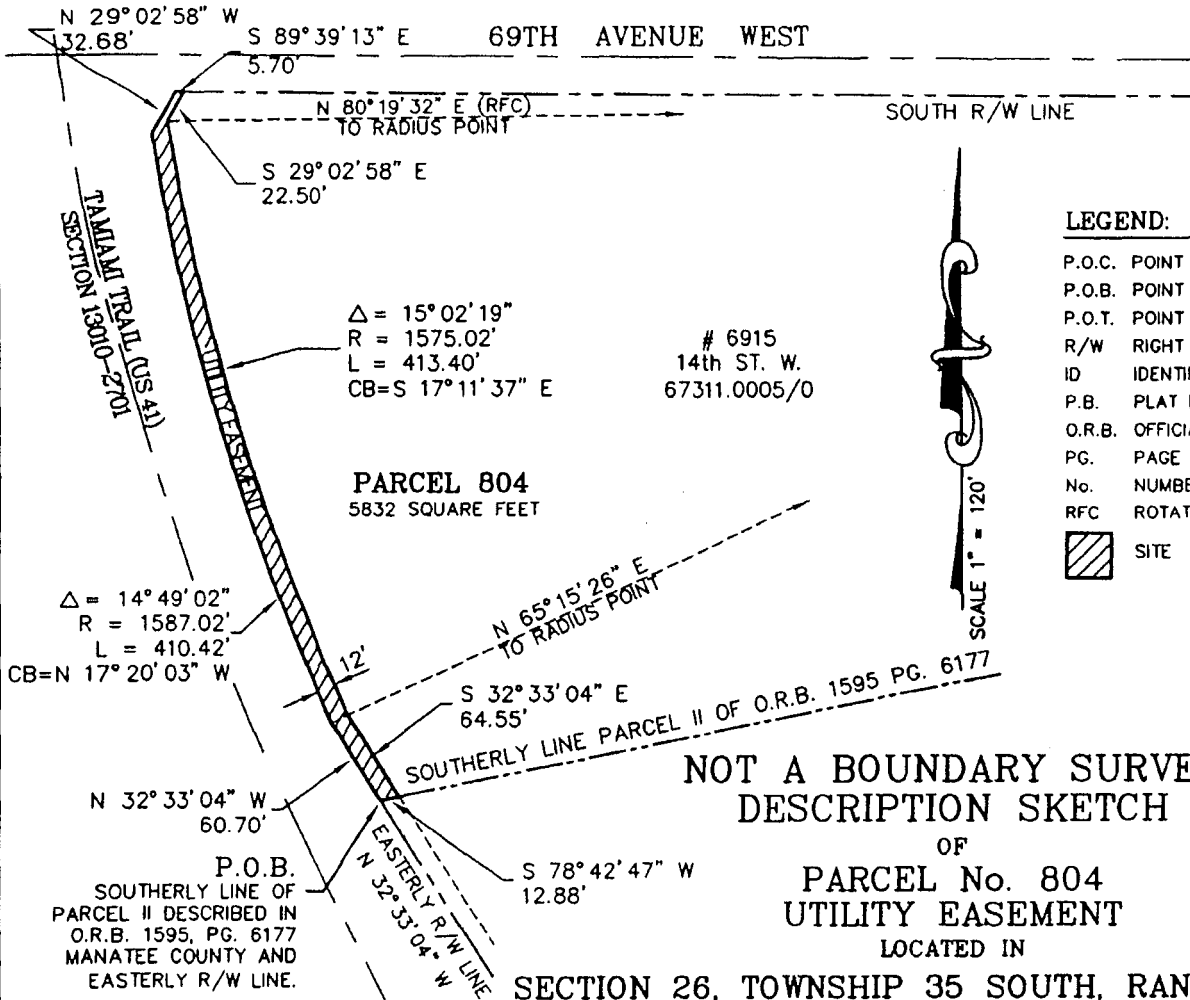
201 5th AVENUE DRIVE EAST
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(941) 748-8080
FAX (941) 478-3747

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 26, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTHERLY LINE OF PARCEL II AS DESCRIBED IN OFFICIAL RECORDS BOOK 1595, PAGE 6177 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND THE EASTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL (US 41, SECTION 13010-2701); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE COURSES (1) N 32° 33' 04" W, A DISTANCE OF 60.70 FEET TO A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES N 65° 15' 26" E, A DISTANCE OF 1587.02 FEET (2) ALONG THE ARC OF SAID CURVE IN A NORTHERLY DIRECTION, A DISTANCE OF 410.42 FEET THROUGH A CENTRAL ANGLE OF 14° 49' 02" (3) N 29° 02' 58" W, A DISTANCE OF 32.68 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF 69TH AVENUE WEST; THENCE S 89° 39' 13" E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 5.70 FEET; THENCE S 29° 02' 58" E, A DISTANCE OF 22.50 FEET TO A POINT ON THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N 80° 19' 32" E, A DISTANCE OF 1575.02 FEET; THENCE ALONG THE ARC OF SAID CURVE IN A SOUTHERLY DIRECTION, A DISTANCE OF 413.40 FEET THROUGH A CENTRAL ANGLE OF 15° 02' 19"; THENCE S 32° 33' 04" E, A DISTANCE OF 64.55 FEET TO AN INTERSECTION WITH SAID SOUTHERLY LINE OF PARCEL II; THENCE S 78° 42' 47" W, ALONG SAID SOUTHERLY LINE OF PARCEL II, A DISTANCE OF 12.88 FEET TO THE POINT OF BEGINNING.

CONTAINING 5832 SQUARE FEET, MORE OR LESS.



LEGEND:

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINUS
- R/W RIGHT OF WAY
- ID IDENTIFICATION
- P.B. PLAT BOOK
- O.R.B. OFFICIAL RECORD BOOK
- PG. PAGE
- No. NUMBER
- RFC ROTATED FOR CLARITY
- SITE

**NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH**

OF
**PARCEL No. 804
UTILITY EASEMENT**
LOCATED IN

**SECTION 26, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA**

NOTES:

1. BEARINGS ARE BASED ON THE EAST RIGHT OF WAY LINE OF 14TH STREET WEST (US 41) BEING N 32° 33' 04" W AND DO NOT REFER TO THE TRUE MERIDIAN.
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NOTE: NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

BY:
JAMES N. GATCH JR., P.S.M.
FLORIDA CERTIFICATE No. LS 4295
DATE OF CERTIFICATION : 03/22/10

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: BILLIE MC LEOD EXT 5086

RECEIPT
#1 of #1

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AR PAYOR: AR300026 GOMC Book# 2369 Page# 938
DOC TYPE: NOT CALC AMOUNT: \$0.00
PAGES: 2 FILE# 002889572
Receipt: 410161288 2/10/11 9:10AM

By: HHOOEY

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
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R	RECORDING FEES	001	000000341100	0	9.00
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R	FL ASSOC COURT CLERK	001	000000208911	0	0.20
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RECEIPT TOTAL: \$18.50
GRAND TOTAL: \$18.50

Receipt#
410161288 thru 410161288

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

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



PROJECT #6052280
PARCEL # 804
ID # L7311.0005/0

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

DISCLAIMER

WHEREAS, TRAVIS BOATS & MOTORS, LLC, a Texas limited liability company, whose mailing address is **6915 14th Street West, Bradenton, Florida 34207**, hereinafter referred to as the "Grantee" is the owner and holder of certain Lessee rights in the hereinafter described real property, and

WHEREAS, Grantee hereby disclaims all interest in said property to the **COUNTY OF MANATEE**, a political subdivision of the State of Florida, whose mailing address is P.O. Box 1000, Bradenton, Florida 34206. The release of interest is described as follows located in Manatee County, Florida, to wit:

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

IN WITNESS WHEREOF, the Grantee has caused this Disclaimer to be duly executed this 8th day of December, 2010

TRAVIS BOATING CENTER FLORIDA, LLC, a Texas limited liability company
By: TRAVIS BOATS & MOTORS, LLC, a Texas limited liability company, its sole member

By: [Signature]
James A. Hagale

Its: President

"Lessee"

LKW
12-8-10

[Signature]
Witness

Evelyn Lambeth
Printed Name

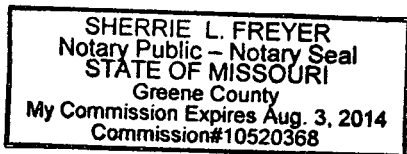
[Signature]
Witness

CASSIE BOYD
Printed Name

(Signature of two witnesses required by law)

STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this 8 day of DECEMBER, 2010 by JAMES A. HAGALE (name of person/s acknowledged), who is/are personally known to me or who has/have produced DRIVER'S LICENSE as identification.



[Signature]
NOTARY PUBLIC Signature
SHERRIE L. FREYER
Printed Name

EXHIBIT "A"



ZNS ENGINEERING

ENGINEERS
EB 0027476

PLANNERS
LB 0006982

SURVEYORS
LC 0000365

LANDSCAPE ARCHITECTS

ENVIRONMENTAL CONSULTANTS

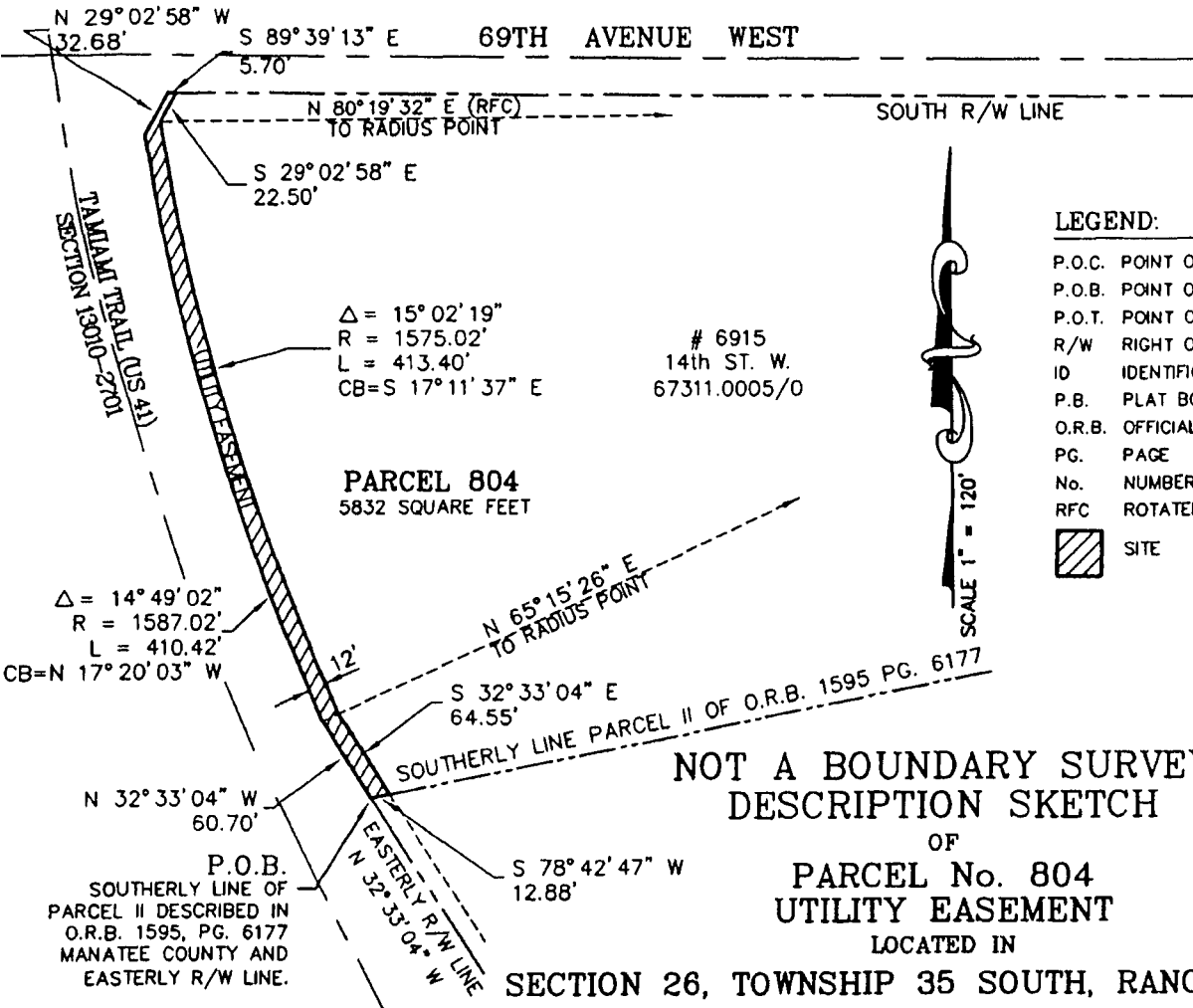
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 478-3747

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 26, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTHERLY LINE OF PARCEL II AS DESCRIBED IN OFFICIAL RECORDS BOOK 1595, PAGE 6177 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND THE EASTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL (US 41, SECTION 13010-2701); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE COURSES (1) N 32° 33' 04" W, A DISTANCE OF 60.70 FEET TO A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES N 65° 15' 28" E, A DISTANCE OF 1587.02 FEET (2) ALONG THE ARC OF SAID CURVE IN A NORTHERLY DIRECTION, A DISTANCE OF 410.42 FEET THROUGH A CENTRAL ANGLE OF 14° 49' 02" (3) N 29° 02' 58" W, A DISTANCE OF 32.68 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF 69TH AVENUE WEST; THENCE S 89° 39' 13" E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 5.70 FEET; THENCE S 29° 02' 58" E, A DISTANCE OF 22.50 FEET TO A POINT ON THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N 80° 19' 32" E, A DISTANCE OF 1575.02 FEET; THENCE ALONG THE ARC OF SAID CURVE IN A SOUTHERLY DIRECTION, A DISTANCE OF 413.40 FEET THROUGH A CENTRAL ANGLE OF 15° 02' 19"; THENCE S 32° 33' 04" E, A DISTANCE OF 64.55 FEET TO AN INTERSECTION WITH SAID SOUTHERLY LINE OF PARCEL II; THENCE S 78° 42' 47" W, ALONG SAID SOUTHERLY LINE OF PARCEL II, A DISTANCE OF 12.88 FEET TO THE POINT OF BEGINNING.

CONTAINING 5832 SQUARE FEET, MORE OR LESS.



LEGEND:

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINUS
- R/W RIGHT OF WAY
- ID IDENTIFICATION
- P.B. PLAT BOOK
- O.R.B. OFFICIAL RECORD BOOK
- PG. PAGE
- No. NUMBER
- RFC ROTATED FOR CLARITY
- [Hatched Box] SITE

**NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH**

**OF
PARCEL No. 804
UTILITY EASEMENT**

**LOCATED IN
SECTION 26, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA**

NOTES:

1. BEARINGS ARE BASED ON THE EAST RIGHT OF WAY LINE OF 14TH STREET WEST (US 41) BEING N 32° 33' 04" W AND DO NOT REFER TO THE TRUE MERIDIAN.
2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY AS SUCH.

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

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

BY: *J. N. Gatch*
JAMES N. GATCH JR., P.S.M.
FLORIDA CERTIFICATE No. LS 4295
DATE OF PREPARATION: 03/22/10

EXHIBIT "A"



ZNS ENGINEERING

ENGINEERS
EB 0027476

PLANNERS
LB 0006982

SURVEYORS
LC 0000365

LANDSCAPE ARCHITECTS

ENVIRONMENTAL CONSULTANTS

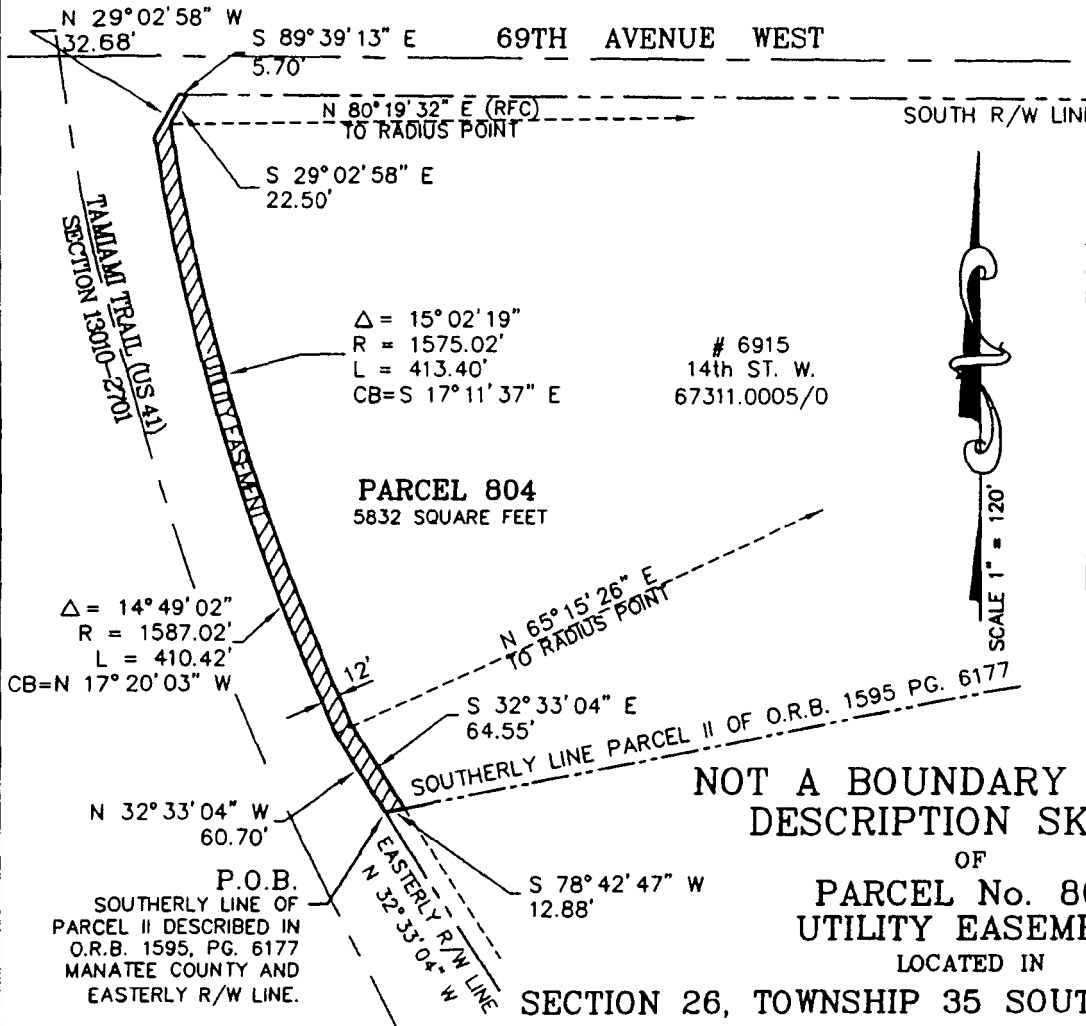
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 478-3747

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T:\MANATEE\ForceMain\26-35-17\Parcels\Par4.dwg
DR Job. No. 00-41978

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

FLORIDA CERTIFICATE No. LS 4295
DATE OF CERTIFICATION: 03/22/10

Revised 4/1/10

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

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MAN CO PROJECT MGT
ATTN: BILLIE MC LEOD EXT 5086

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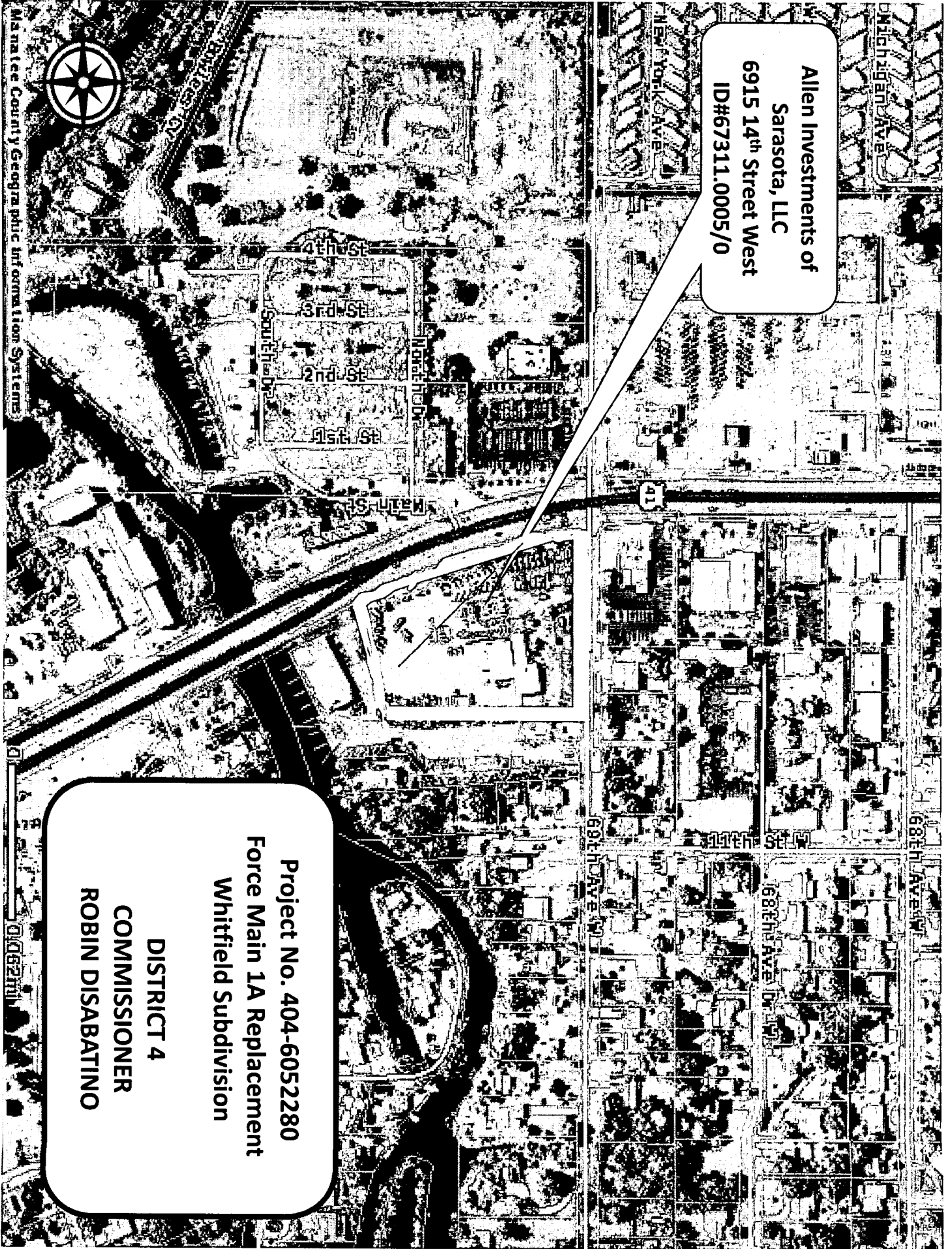
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R	RECORDING TRUST	199	000000341150	0	2.00
R	RECORDING FEES	001	000000341100	0	13.00
R	CLERK CT TECH FUND	199	000000341160	0	5.70
R	FL ASSOC COURT CLERK	001	000000208911	0	0.30
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Allen Investments of
Sarasota, LLC
6915 14th Street West
ID#67311.0005/0

Project No. 404-6052280
Force Main 1A Replacement
Whitfield Subdivision
DISTRICT 4
COMMISSIONER
ROBIN DISABATINO

Muskege County Geographic Information Systems



0 100 Feet