

**RESOLUTION R-11-037**

**A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 102  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

**WHEREAS**, Manatee County has determined that 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; and

**WHEREAS**, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described road; and

**WHEREAS**, the owner of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

**WHEREAS**, the construction of the project will be impeded unless the property is acquired by Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, that the Manatee County Public


Works and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interest in the aforementioned property, which property is more particularly described in the Schedule which is attached hereto and made a part hereof.

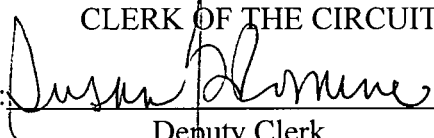
**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the property, hereby finds and determines that the acquisition of the following interest is necessary as to the real property described in the attached Schedule:

<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interest to be Acquired</u>
1.	102	Fee Simple Title

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT  
By:   
Deputy Clerk



# Description and Sketch

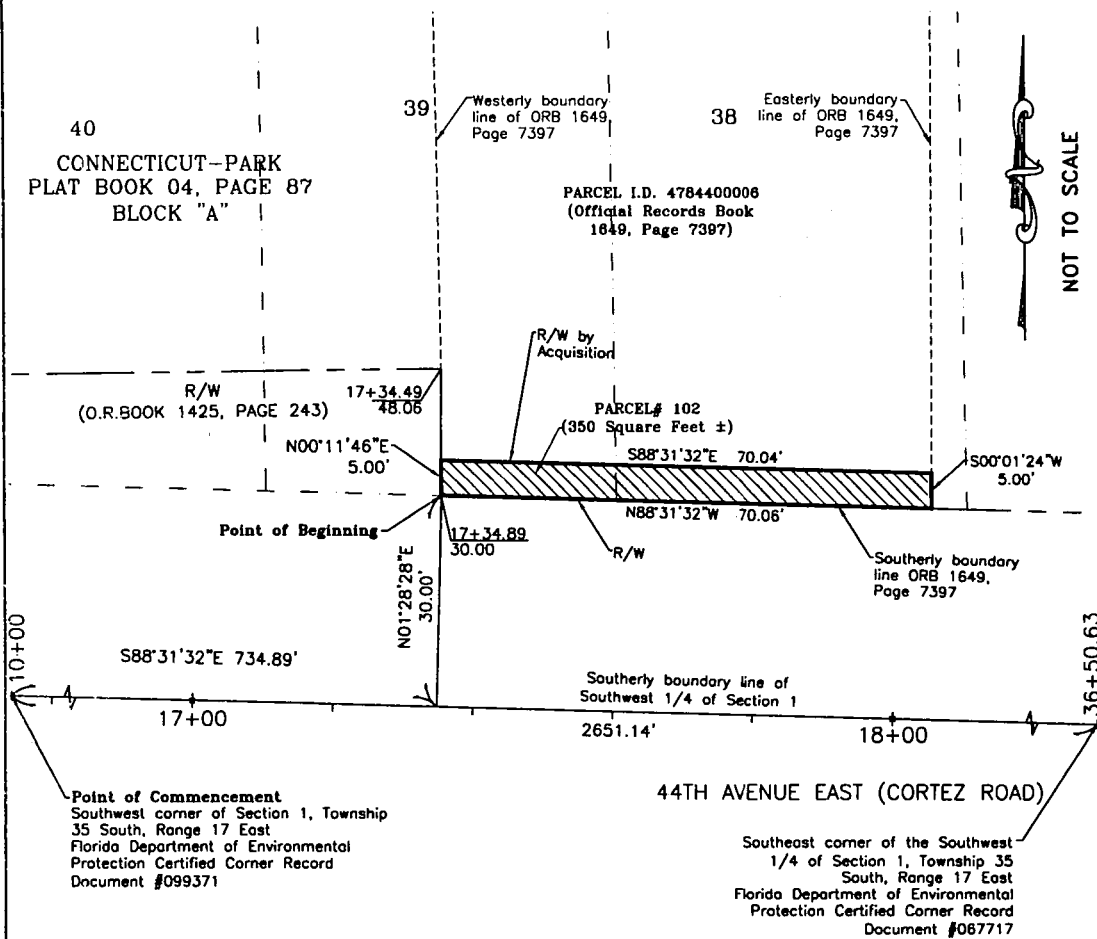
(NOT A SURVEY)

DESCRIPTION: PARCEL #102

The southerly 5 feet of the parcel described in Official Records Book 1649, Page 7397 of the Public Records of Manatee County, Florida, and being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 734.89 along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 30.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING; thence N00°11'46"E, 5.00 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 70.04 feet to the easterly boundary line of said parcel; thence S00°01'24"W, 5.00 feet along said easterly boundary line to the southerly boundary line of said parcel; thence N88°31'32"W, 70.06 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 350 Square Feet more or less.



NOT TO SCALE

**SCHEDULE 1**

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

REVISIONS:  
  
 Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047  
 10/5/10

<b>FEE ACQUISITION</b> <b>PARCEL #102</b> <b>PROJECT# 3346001060</b>	<b>LEGEND</b> FCM = FOUND CONCRETE MONUMENT (4"x4") FIRC = FOUND CAPPED IRON ROD I.D. = IDENTIFICATION LB = LICENSED BUSINESS NDF = NAIL AND DISK FOUND (ID NOTED) ORB = OFFICIAL RECORDS BOOK PSM = PROFESSIONAL SURVEYOR & MAPPER RSM = REGISTERED SURVEYOR & MAPPER R/W = RIGHT OF WAY Sec = SECTION	Drawn By: TRC Checked By: TEB Scale: NOT TO SCALE DWG.: Parcel 102 Sheet: 1 OF 1 Section 01, Township 35 South, Range 17 East	MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION  1112 MANATEE AVENUE WEST BRADENTON, FLORIDA, 34205 (941) 748-4301

**RESOLUTION R-11-038**

**A RESOLUTION AUTHORIZING USE OF “QUICK TAKING”  
CONDEMNATION PROCEEDINGS FOR THE PUBLIC USE  
AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING,  
OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY  
AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE  
COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 102  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East by purchase from the owners; and

**WHEREAS**, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said property, as described and set out in Resolution R-11-037; and

**WHEREAS**, the Board of County Commissioners wishes to utilize “quick taking” condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, as follows that:

1. Manatee County is authorized to utilize “quick taking” eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interest in the property hereinafter described.

2. Manatee County cannot proceed with the necessary improvements to 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East until it acquires title to the hereinafter-described property.

3. Delay in acquiring the necessary interest and the resultant delay in construction will adversely affect the project.

4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The property to be taken is more particularly described in the Schedule which is attached hereto and made a part hereof.

6. This Resolution shall take effect immediately upon its passage.

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: \_\_\_\_\_

Chairman

ATTEST: R. B. SHORE

CLERK OF THE CIRCUIT COURT

By: \_\_\_\_\_

Deputy Clerk



# Description and Sketch

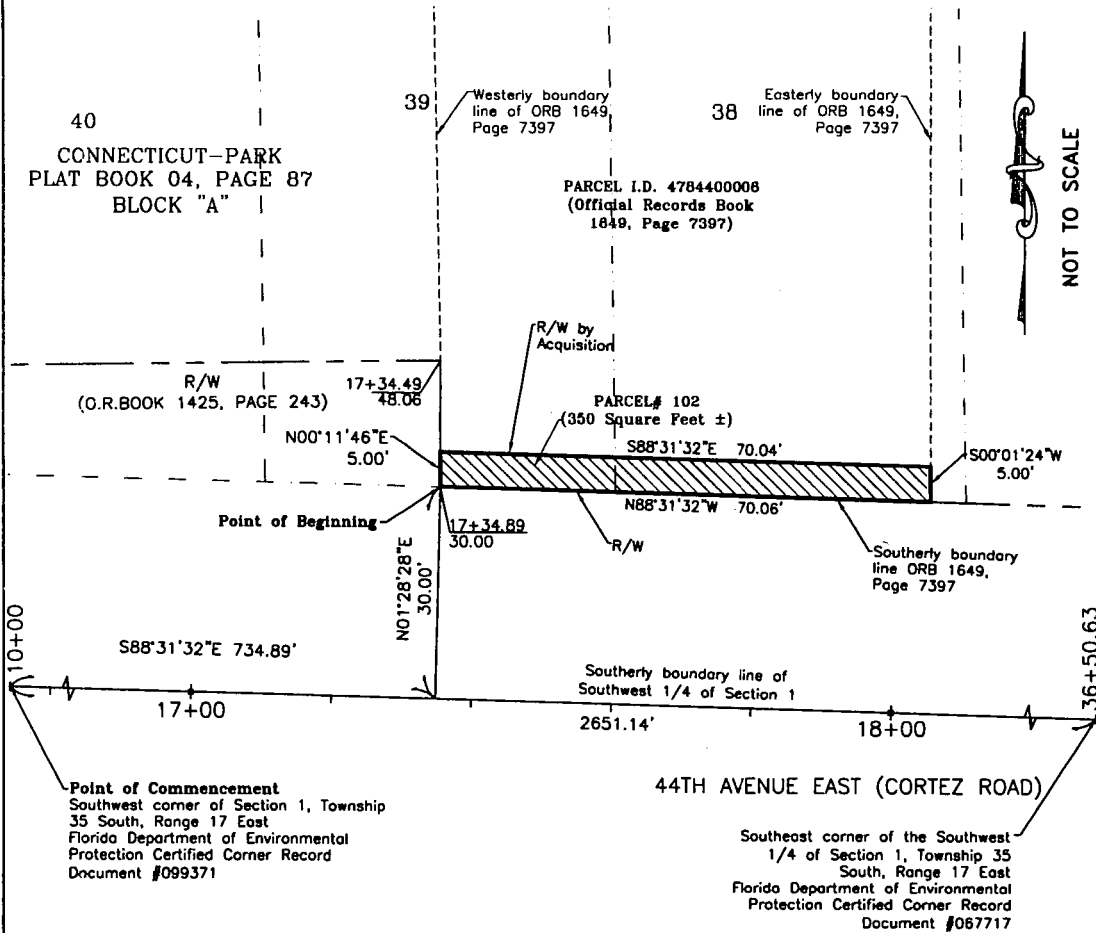
(NOT A SURVEY)

**DESCRIPTION: PARCEL #102**

The southerly 5 feet of the parcel described in Official Records Book 1649, Page 7397 of the Public Records of Manatee County, Florida, and being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 734.89 along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 30.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING; thence N00°11'46"E, 5.00 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 70.04 feet to the easterly boundary line of said parcel; thence S00°01'24"W, 5.00 feet along said easterly boundary line to the southerly boundary line of said parcel; thence N88°31'32"W, 70.06 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 350 Square Feet more or less.



**SCHEDULE 1**

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**REVISIONS:**

TODD E. BOYLE  
 CERTIFIED  
 10/5/10  
 Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

**FEE ACQUISITION  
 PARCEL #102  
 PROJECT# 3346001060**

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4"x4")
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
ORB	= OFFICIAL RECORDS BOOK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION

Drawn By: TRC
Checked By: TEB
Scale: NOT TO SCALE
DWG.: Parcel 102
Sheet: 1 OF 1
Section 01, Township 35 South, Range 17 East

MANATEE COUNTY  
 PROPERTY MANAGEMENT  
 SURVEY DIVISION

1112 MANATEE AVENUE WEST  
 BROOKTON, FLORIDA, 34209  
 (813) 748-4801

**RESOLUTION R-11-039**

**A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 103  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

**WHEREAS**, Manatee County has determined that 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; and

**WHEREAS**, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described road; and

**WHEREAS**, the owner of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

**WHEREAS**, the construction of the project will be impeded unless the property is acquired by Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, that the Manatee County Public

Works and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interest in the aforementioned property, which property is more particularly described in the Schedule which is attached hereto and made a part hereof.


**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the property, hereby finds and determines that the acquisition of the following interest is necessary as to the real property described in the attached Schedule:

<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interest to be Acquired</u>
1.	103	Fee Simple Title

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT  
By:   
Deputy Clerk





# Description and Sketch

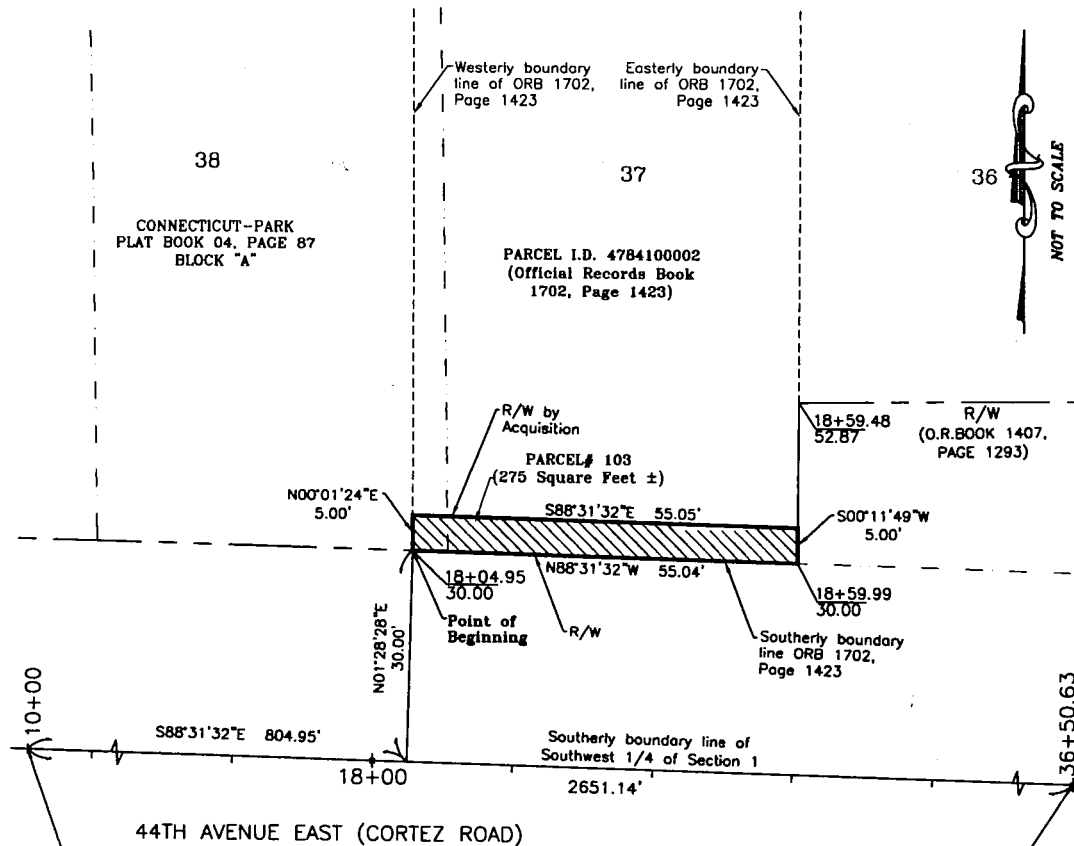
(NOT A SURVEY)

**DESCRIPTION: PARCEL #103**

The Southerly 5 feet of the parcel described in Official Records Book 1702, Page 1423, of the Public Records of Manatee County, Florida, and being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 804.95 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 30.00 feet to the southerly boundary line of said parcel for a POINT OF BEGINNING; thence N00°01'24"E, 5.00 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 55.05 feet to the the easterly boundary line of said parcel; thence S00°11'49"W, 5.00 feet along said easterly boundary line to the southerly boundary line of said parcel; thence N88°31'32"W, 55.04 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 275 Square Feet more or less.



SCHEDULE 1

**Point of Commencement**  
 Southwest corner of Section 1, Township 35 South, Range 17 East  
 Florida Department of Environmental Protection Certified Corner Record Document #099371

Southeast corner of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East  
 Florida Department of Environmental Protection Certified Corner Record Document #067717

**REVISIONS:**

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**FEE ACQUISITION  
 PARCEL #103  
 PROJECT# 3346001060**

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4" DIA)
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
ORB	= OFFICIAL RECORDS BOOK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION

Drawn By: TRC  
 Checked By: TEB  
 Scale: NOT TO SCALE  
 DWG.: Parcel 103  
 Sheet: 1 OF 1  
 Section 01, Township 35 South, Range 17 East

MANATEE COUNTY  
 PROPERTY MANAGEMENT  
 SURVEY DIVISION

1112 MANATEE AVENUE WEST  
 BRANDTOWN, FLORIDA 34705  
 (813) 748-4301

**RESOLUTION R-11-040**

**A RESOLUTION AUTHORIZING USE OF “QUICK TAKING”  
CONDEMNATION PROCEEDINGS FOR THE PUBLIC USE  
AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING,  
OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY  
AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE  
COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 103  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East by purchase from the owners; and

**WHEREAS**, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said property, as described and set out in Resolution R-11-039; and

**WHEREAS**, the Board of County Commissioners wishes to utilize “quick taking” condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, as follows that:

1. Manatee County is authorized to utilize “quick taking” eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interest in the property hereinafter described.

2. Manatee County cannot proceed with the necessary improvements to 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East until it acquires title to the hereinafter-described property.

3. Delay in acquiring the necessary interest and the resultant delay in construction will adversely affect the project.


4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The property to be taken is more particularly described in the Schedule which is attached hereto and made a part hereof.

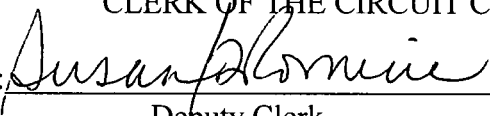
6. This Resolution shall take effect immediately upon its passage.

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT

By:   
Deputy Clerk



# Description and Sketch

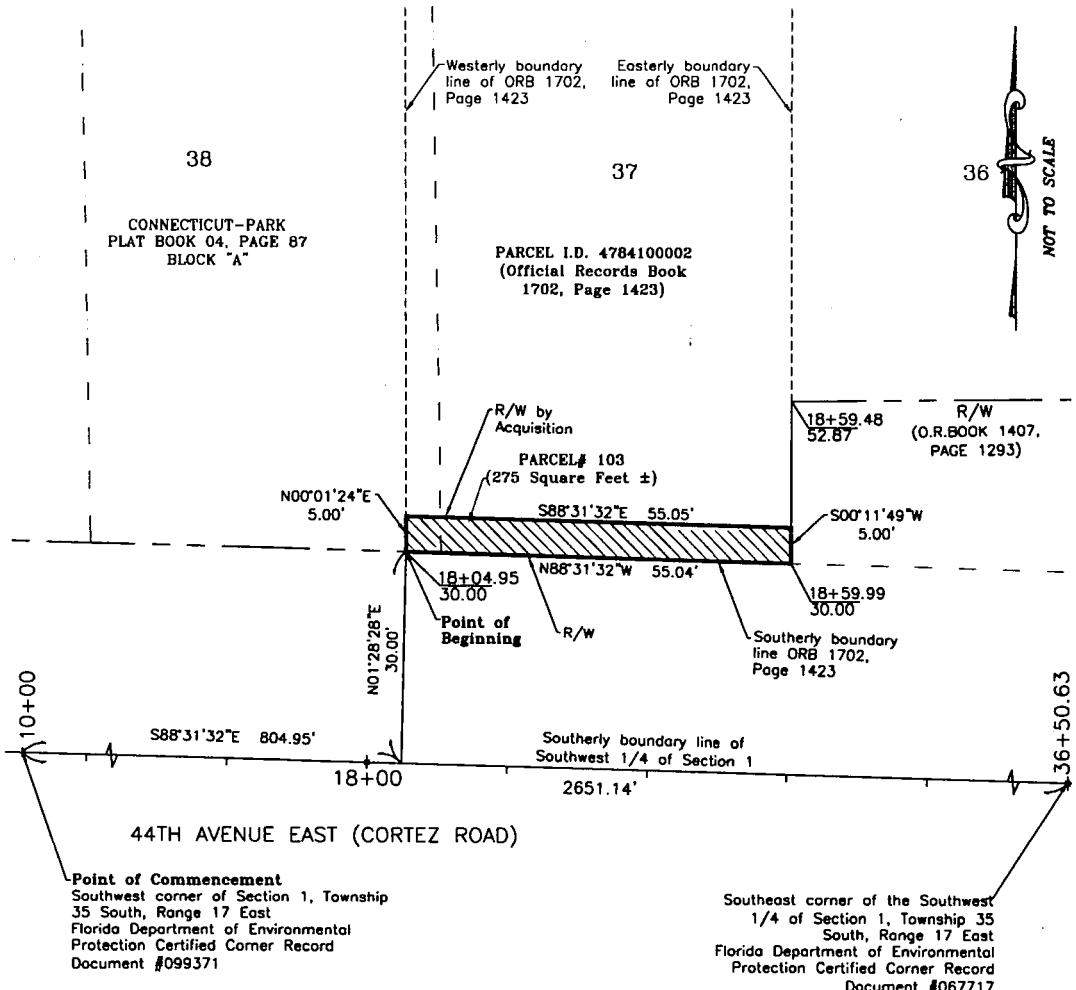
(NOT A SURVEY)

**DESCRIPTION: PARCEL #103**

The Southerly 5 feet of the parcel described in Official Records Book 1702, Page 1423, of the Public Records of Manatee County, Florida, and being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 804.95 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 30.00 feet to the southerly boundary line of said parcel for a POINT OF BEGINNING; thence N00°01'24"E, 5.00 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 55.05 feet to the the easterly boundary line of said parcel; thence S00°11'49"W, 5.00 feet along said easterly boundary line to the southerly boundary line of said parcel; thence N88°31'32"W, 55.04 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 275 Square Feet more or less.



SCHEDULE 1

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

REVISIONS:

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

<p><b>FEE ACQUISITION</b>  <b>PARCEL #103</b>  <b>PROJECT# 3346001060</b></p>	<p style="text-align: center;"><b>LEGEND</b></p> <p>FCM = FOUND CONCRETE MONUMENT (4"x4")          FIRG = FOUND CAPPED IRON ROD          I.D. = IDENTIFICATION          LB = LICENSED BUSINESS          NDF = NAIL AND DISK FOUND (ID NOTED)          ORB = OFFICIAL RECORDS BOOK          PSM = PROFESSIONAL SURVEYOR &amp; MAPPER          RSM = REGISTERED SURVEYOR &amp; MAPPER          R/W = RIGHT OF WAY          Sec = SECTION</p>	<p>Drawn By: TRC          Checked By: TEB          Scale: NOT TO SCALE          DWG: Parcel 103          Sheet: 1 OF 1          Section 01, Township 35          South, Range 17 East</p>	<p>MANATEE COUNTY          PROPERTY MANAGEMENT          SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST          BRIDGEPORT, FLORIDA 34209          (841) 748-4801</p>
---	--	---	--

**RESOLUTION R-11-041**

**A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCELS 106A, 106B, AND 706  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

**WHEREAS**, Manatee County has determined that 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; and

**WHEREAS**, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described road; and

**WHEREAS**, the owners of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

**WHEREAS**, the construction of the project will be impeded unless the properties are acquired by Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, that the Manatee County Public


Works and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interests in the aforementioned properties, which properties are more particularly described in the Schedules which are attached hereto and made a part hereof.

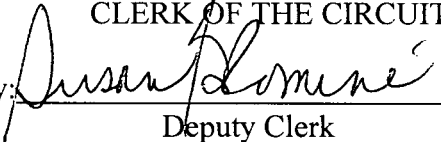
**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the properties, hereby finds and determines that the acquisition of the following interests are necessary as to the real properties described in the attached Schedules:

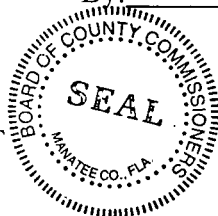
<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interests to be Acquired</u>
1.	106A	Fee Simple Title
2.	106B	Fee Simple Title
3.	706	Temporary Construction Easement for a period of three (3) years

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT  
By:   
Deputy Clerk



# Description and Sketch

(NOT A SURVEY)

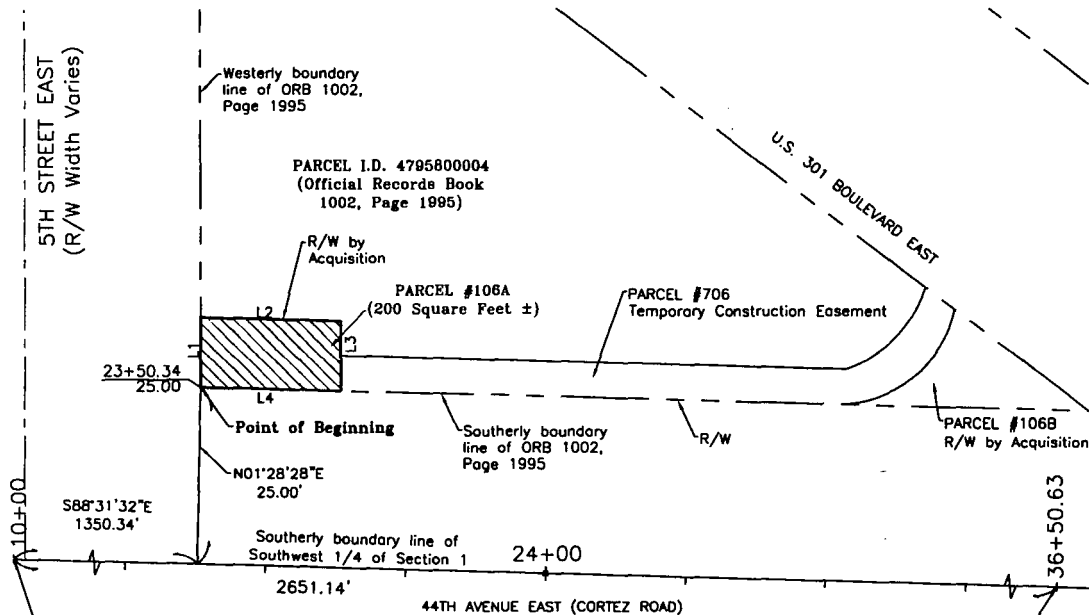
## DESCRIPTION: PARCEL #106A

The Southerly 10 feet of the Westerly 20 feet of the parcel described in Official Records Book 1002, Page 1995, of the Public Records of Manatee County, Florida, and being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 1350.34 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for a POINT OF BEGINNING; thence N00°15'03"E, 10.00 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 20.00 feet; thence S00°15'03"W, 10.00 feet to the southerly boundary line of said parcel; thence N88°31'32"W, 20.00 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 200 Square Feet more or less.

LINE	BEARING	DISTANCE
L1	N 00°15'03" E	10.00'
L2	S 88°31'32" E	20.00'
L3	S 00°15'03" W	10.00'
L4	N 88°31'32" W	20.00'



SCHEDULE 1

**Point of Commencement**  
 Southwest corner of Section 1, Township 35 South, Range 17 East  
 Florida Department of Environmental Protection Certified Corner Record Document #099371

Southeast corner of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East  
 Florida Department of Environmental Protection Certified Corner Record Document #067717

NOT TO SCALE

**Notes:**

- This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
- Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
- The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

REVISIONS:  
  
 Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

**FEE ACQUISITION  
 PARCEL #106A  
 PROJECT# 3346001060**

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4"x4")
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
ORB	= OFFICIAL RECORDS BOOK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION

Drawn By: TRC
Checked By: TEB
Scale: NOT TO SCALE
DWG.: Parcel 106A
Sheet: 1 OF 1
Section 01, Township 35 South, Range 17 East

MANATEE COUNTY  
 PROPERTY MANAGEMENT  
 DIVISION

1112 MANATEE AVENUE WEST  
 BRADENTON, FLORIDA 34205  
 (813) 748-4501

# Description and Sketch

(NOT A SURVEY)

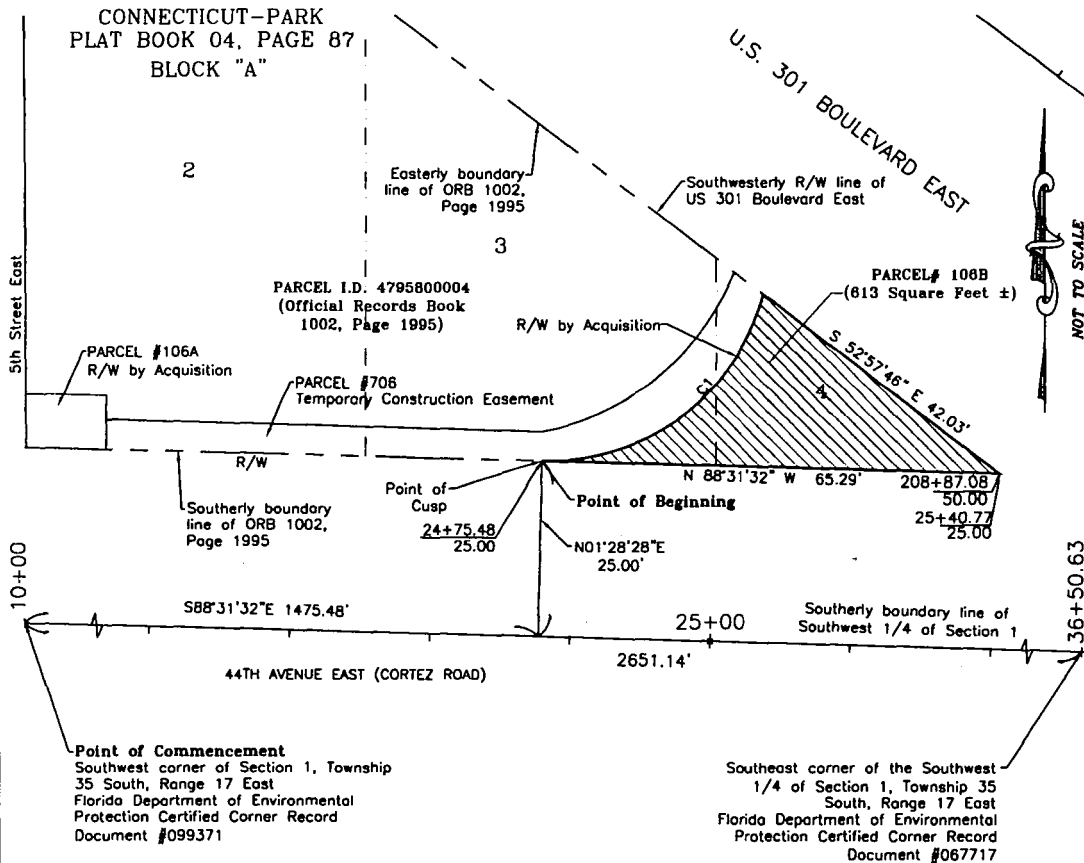
**DESCRIPTION: PARCEL #106B**

A portion of the parcel as described in Official Records Book 1002, Page 1995, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 1475.48 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING, said point being a Point of Cusp of a curve concave to the Northwest having a Radius of 32.00 feet; thence northeasterly, 42.64 feet along the arc of said curve, through a delta angle of 76°21'20", (chord bears N53°18'22"E, 39.55 feet) to the northeasterly boundary line of said parcel, and the southwesterly right-of-way line of US 301 Boulevard East; thence S52°57'46"E, 42.03 feet along said northeasterly boundary line and said southwesterly right-of-way line to the southerly boundary line of said parcel; thence N88°31'32"W, 65.29 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 613 Square Feet more or less.

Curve Data Table					
Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	76°21'20"	32.00'	42.64'	N53°18'22"E	39.55'



SCHEDULE 2

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**REVISIONS:**

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

10/5/10

<p><b>FEE ACQUISITION</b>  <b>PARCEL #106B</b>  <b>PROJECT# 3346001060</b></p>	<p><b>LEGEND</b></p> <p>FCM = FOUND CONCRETE MONUMENT (4"x4")          FIRCI = FOUND CAPPED IRON ROD          I.D. = IDENTIFICATION          LB = LICENSED BUSINESS          NDF = NAIL AND DISK FOUND (ID NOTED)          ORB = OFFICIAL RECORDS BOOK          PSM = PROFESSIONAL SURVEYOR &amp; MAPPER          RSM = REGISTERED SURVEYOR &amp; MAPPER          R/W = RIGHT OF WAY          Sec = SECTION</p>	<p>Drawn By: TRC          Checked By: TEB          Scale: NOT TO SCALE          DWG.: Parcel 106B          Sheet: 1 OF 1</p>	<p>MANATEE COUNTY          PROPERTY MANAGEMENT          SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST          BRIDGEVILLE, FLORIDA 34228          (813) 748-4501</p>
	<p>Section 01, Township 35 South, Range 17 East</p>		



# Description and Sketch

(NOT A SURVEY)

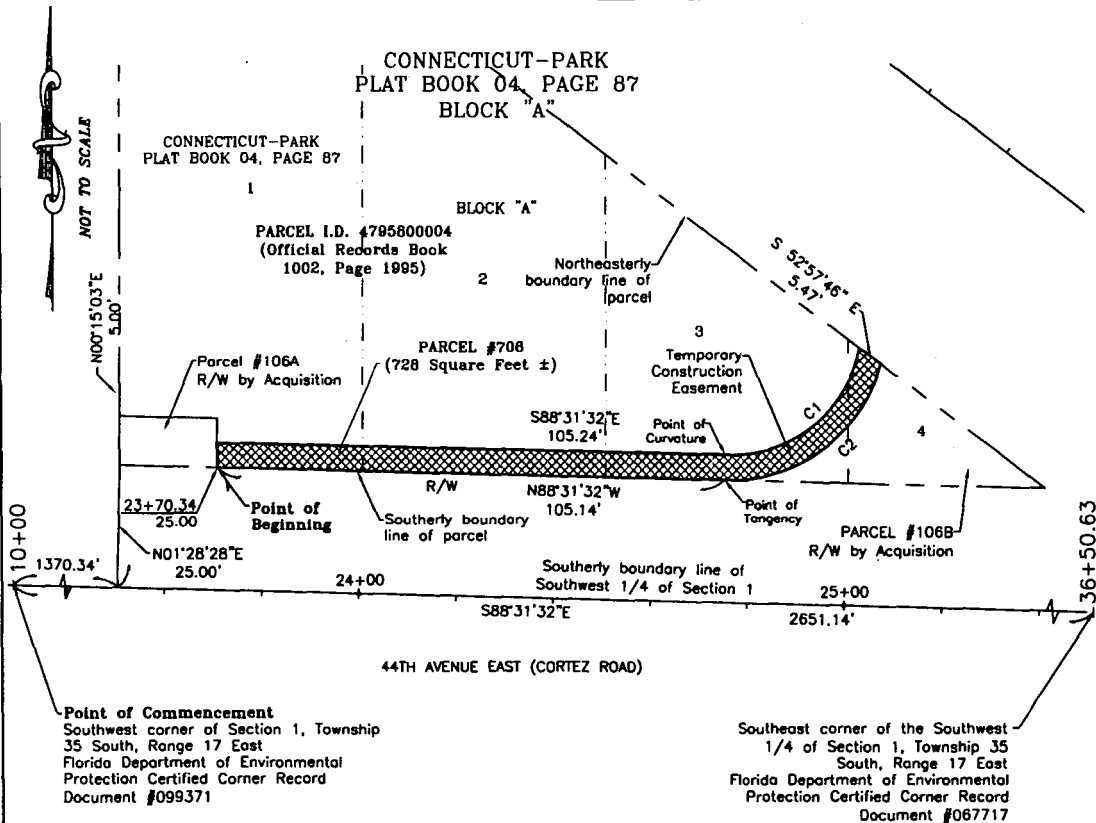
DESCRIPTION: PARCEL #706

A portion of the parcel described in Official Records Book 1002, Page 1995, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 1370.34 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING; thence N00°15'03"E, 5.00 feet; thence S88°31'32"E, 105.24 feet to a Point of Curvature of a curve concave to the Northwest having a radius of 27.00 feet; thence Northeast, 38.02 feet along arc of said curve, through a delta angle of 80°41'44" (chord bears N51°08'17"E, 34.96 feet) to the northeasterly boundary line of said parcel; thence S52°57'46"E, 5.47 feet along said northeasterly boundary line, to a non-tangent curve concave to the northwest having a radius of 32.00 feet; thence southwest along arc of said curve, through a delta angle of 76°21'20", 42.64 feet, (chord bears S53°18'22"W, 39.55 feet) to the southerly boundary line of said parcel; thence N88°31'32"W, 105.14 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 728 Square Feet more or less.

Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	80°41'44"	27.00'	38.02'	N51°08'17"E	34.96'
C2	76°21'20"	32.00'	42.64'	S53°18'22"W	39.55'



**SCHEDULE 3**

REVISIONS:

**Notes:**

1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047  
 10/5/10

**TEMPORARY CONSTRUCTION  
 EASEMENT  
 PARCEL #706  
 3 YEAR TERM LIMIT  
 PROJECT# 3346001060**

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4" DIA)
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION
SIRC	= SET IRON ROD/CAP (5/8")

Drawn By: TRC  
 Checked By: TEB  
 Scale: NOT TO SCALE  
 DWG.: Parcel 706  
 Sheet: 1 OF 1  
 Section 01, Township 35  
 South, Range 17 East



**RESOLUTION R-11-042**

**A RESOLUTION AUTHORIZING USE OF “QUICK TAKING”  
CONDEMNATION PROCEEDINGS FOR THE PUBLIC USE  
AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING,  
OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY  
AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE  
COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCELS 106A, 106B, AND 706  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East by purchase from the owners; and

**WHEREAS**, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said properties, all as described and set out in Resolution R-11-041; and

**WHEREAS**, the Board of County Commissioners wishes to utilize “quick taking” condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, as follows that:

1. Manatee County is authorized to utilize “quick taking” eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interests in the properties hereinafter described.

2. Manatee County cannot proceed with the necessary improvements to 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East until it acquires title to the hereinafter-described properties.

3. Delay in acquiring the necessary interests and the resultant delay in construction will adversely affect the project.

4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The properties to be taken are more particularly described in the Schedules which are attached hereto and made a part hereof.

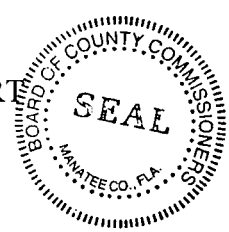
6. This Resolution shall take effect immediately upon its passage.

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: [Signature]  
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT  
By: [Signature]  
Deputy Clerk



# Description and Sketch

(NOT A SURVEY)

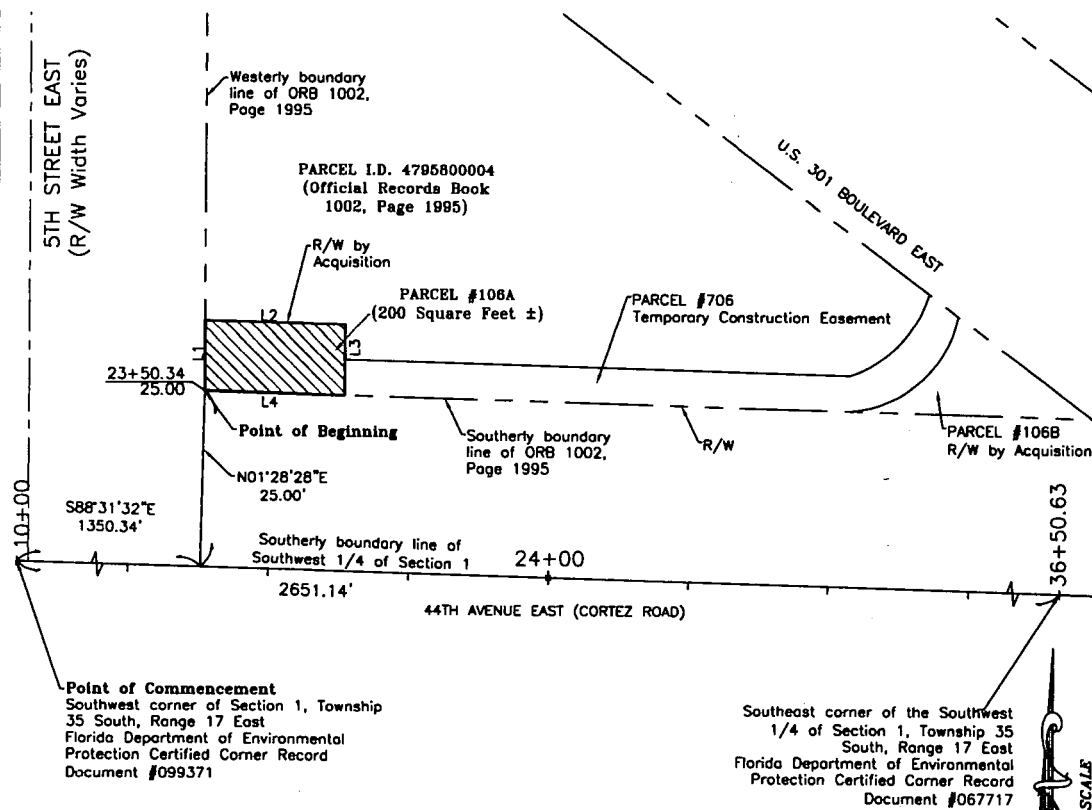
DESCRIPTION: PARCEL #106A

The Southerly 10 feet of the Westerly 20 feet of the parcel described in Official Records Book 1002, Page 1995, of the Public Records of Manatee County, Florida, and being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 1350.34 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for a POINT OF BEGINNING; thence N00°15'03"E, 10.00 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 20.00 feet; thence S00°15'03"W, 10.00 feet to the southerly boundary line of said parcel; thence N88°31'32"W, 20.00 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 200 Square Feet more or less.

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N 00°15'03" E	10.00'
L2	S 88°31'32" E	20.00'
L3	S 00°15'03" W	10.00'
L4	N 88°31'32" W	20.00'



SCHEDULE 1

- Notes:**
- This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  - Not valid without the signature and original raised seal of a Florida Licensed surveyor & mapper. This is not a survey.
  - The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

REVISIONS:

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

10/5/10

<b>FEE ACQUISITION PARCEL #106A PROJECT# 3346001060</b>	<b>LEGEND</b>	Drawn By: TRC	
	FCM = FOUND CONCRETE MONUMENT (4"X4") FIRC = FOUND CAPPED IRON ROD I.D. = IDENTIFICATION LB = LICENSED BUSINESS NDF = NAIL AND DISK FOUND (ID NOTED) ORB = OFFICIAL RECORDS BOOK PSM = PROFESSIONAL SURVEYOR & MAPPER RSM = REGISTERED SURVEYOR & MAPPER R/W = RIGHT OF WAY Sec = SECTION	Checked By: JEB	
		Scale: NOT TO SCALE DWG.: Parcel 106A Sheet: 1 OF 1	
		Section 01, Township 35 South, Range 17 East	

1112 MANATEE AVENUE WEST  
BRADYTON, FLORIDA, 34205  
(941) 748-4301

# Description and Sketch

(NOT A SURVEY)

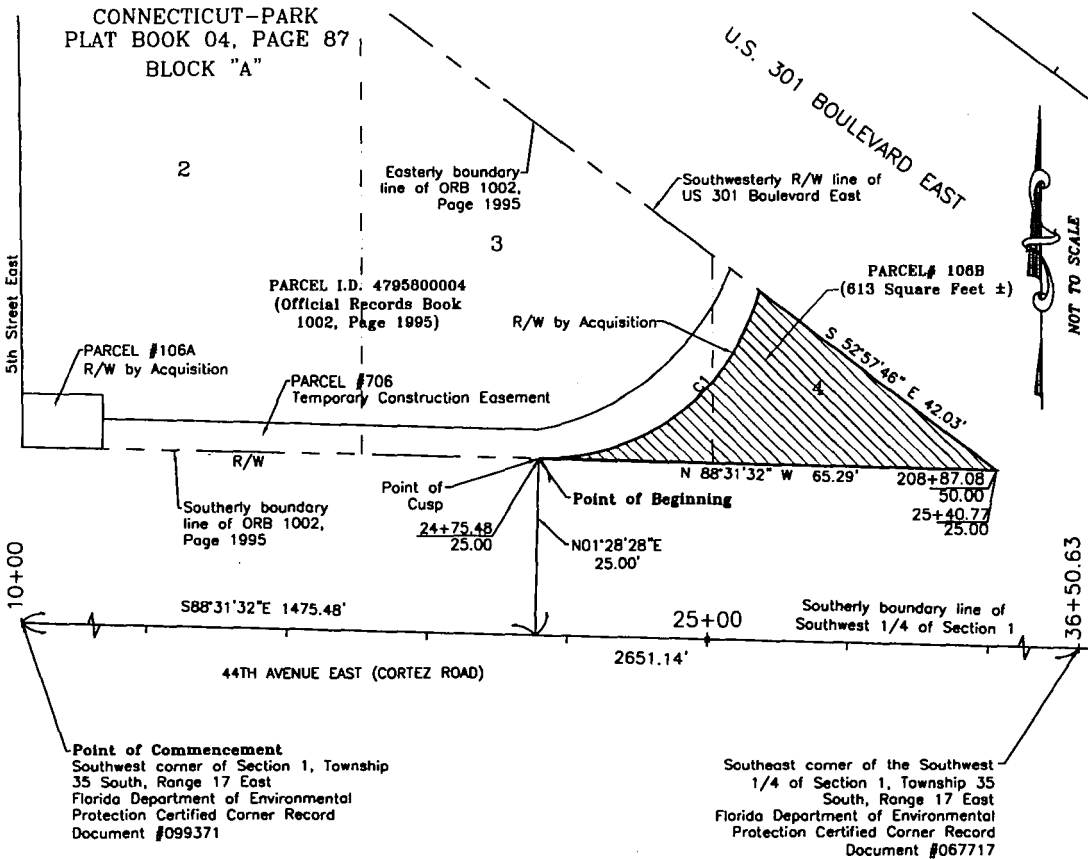
**DESCRIPTION: PARCEL #106B**

A portion of the parcel as described in Official Records Book 1002, Page 1995, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 1475.48 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING, said point being a Point of Cusp of a curve concave to the Northwest having a Radius of 32.00 feet; thence northeasterly, 42.64 feet along the arc of said curve, through a delta angle of 76°21'20", (chord bears N53°18'22"E, 39.55 feet) to the northeasterly boundary line of said parcel, and the southwesterly right-of-way line of US 301 Boulevard East; thence S52°57'46"E, 42.03 feet along said northeasterly boundary line and said southwesterly right-of-way line to the southerly boundary line of said parcel; thence N88°31'32"W, 65.29 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 613 Square Feet more or less.

Curve Data Table					
Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	76°21'20"	32.00'	42.64'	N53°18'22"E	39.55'



SCHEDULE 2

**Notes:**  
 1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.  
 2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.  
 3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

REVISIONS:  
  
 Todd E. Boyle, R.S.M.  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047  
 10/5/10

<p><b>FEE ACQUISITION                  PARCEL #106B                  PROJECT# 3346001060</b></p>	<p><b>LEGEND</b></p> <p>FCM = FOUND CONCRETE MONUMENT (4"x4")                  FIRG = FOUND CAPPED IRON ROD                  I.D. = IDENTIFICATION                  LB = LICENSED BUSINESS                  NDF = NAIL AND DISK FOUND (ID NOTED)                  ORB = OFFICIAL RECORDS BOOK                  PSM = PROFESSIONAL SURVEYOR &amp; MAPPER                  RSM = REGISTERED SURVEYOR &amp; MAPPER                  R/W = RIGHT OF WAY                  Sec = SECTION</p>	<p>Drawn By: TRC                  Checked By: TEB                  Scale: NOT TO SCALE                  DWG.: Parcel 106B                  Sheet: 1 OF 1                  Section 01, Township 35 South, Range 17 East</p>	<p>MANATEE COUNTY                  PROPERTY MANAGEMENT                  SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST                  BRADENTON, FLORIDA 34205                  (813) 748-4501</p>
--	--	--	---

# Description and Sketch

(NOT A SURVEY)

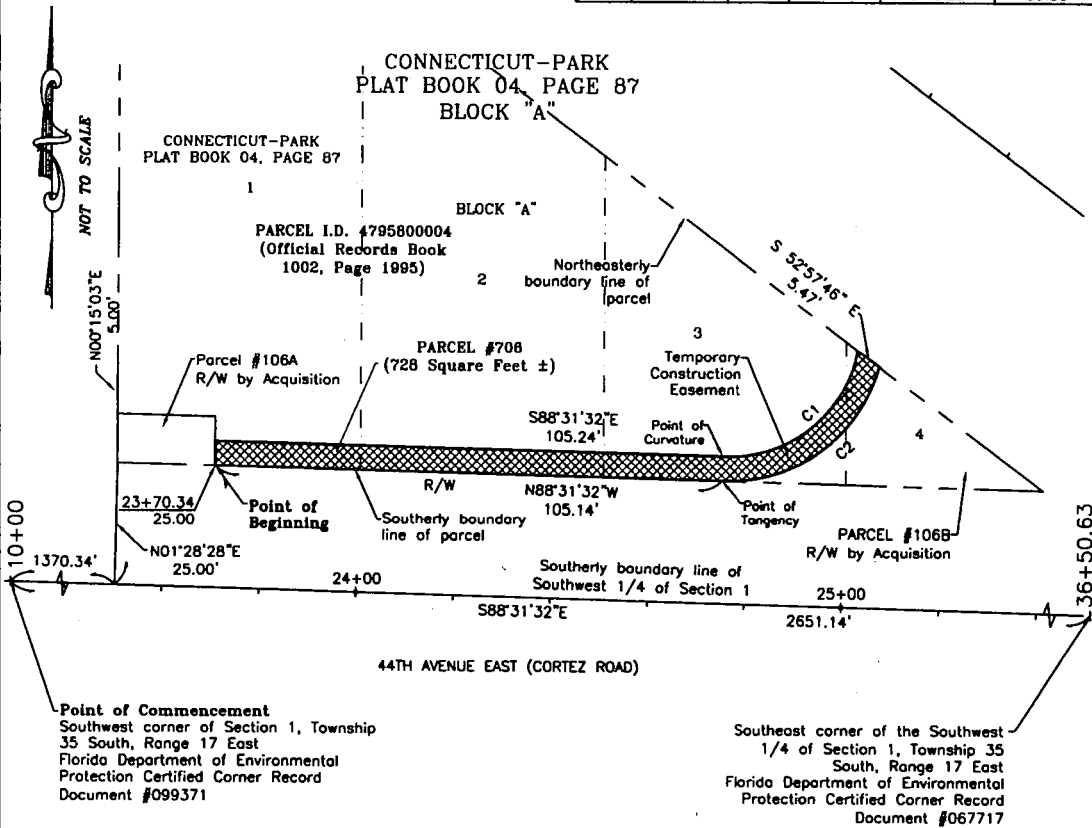
**DESCRIPTION: PARCEL #706**

A portion of the parcel described in Official Records Book 1002, Page 1995, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 1370.34 feet along the southerly boundary line of the Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING; thence N00°15'03"E, 5.00 feet; thence S88°31'32"E, 105.24 feet to a Point of Curvature of a curve concave to the Northwest having a radius of 27.00 feet; thence Northeast, 38.02 feet along arc of said curve, through a delta angle of 80°41'44" (chord bears N51°08'17"E, 34.96 feet) to the northeasterly boundary line of said parcel; thence S52°57'46"E, 5.47 feet along said northeasterly boundary line, to a non-tangent curve concave to the northwest having a radius of 32.00 feet; thence southwest along arc of said curve, through a delta angle of 76°21'20", 42.64 feet, (chord bears S53°18'22"W, 39.55 feet) to the southerly boundary line of said parcel; thence N88°31'32"W, 105.14 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 728 Square Feet more or less.

Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	80°41'44"	27.00'	38.02'	N51°08'17"E	34.96'
C2	76°21'20"	32.00'	42.64'	S53°18'22"W	39.55'



SCHEDULE 3

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**REVISIONS:**

Todd E. Boyle, RSM, G.L.S., C.E.
   
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

TEMPORARY CONSTRUCTION  
 EASEMENT  
 PARCEL #706  
 3 YEAR TERM LIMIT  
 PROJECT# 3346001060

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4"x4")
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION
SIRC	= SET IRON ROD/CAP (5/8")

Drawn By: TRC
Checked By: TEB
Scale: NOT TO SCALE
DWG.: Parcel 706
Sheet: 1 OF 1
Section 01, Township 35 South, Range 17 East

MANATEE COUNTY  
 PROPERTY MANAGEMENT  
 SURVEY DIVISION  
 1112 MANATEE AVENUE WEST  
 BRADENTON, FLORIDA 34205  
 (813) 748-1501

**RESOLUTION R-11-043**

**A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 107  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

**WHEREAS**, Manatee County has determined that 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; and

**WHEREAS**, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described road; and

**WHEREAS**, the owner of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

**WHEREAS**, the construction of the project will be impeded unless the property is acquired by Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, that the Manatee County Public


Works and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interest in the aforementioned property, which property is more particularly described in the Schedule which is attached hereto and made a part hereof.

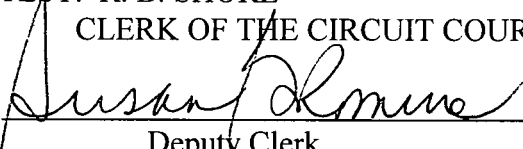
**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the property, hereby finds and determines that the acquisition of the following interest is necessary as to the real property described in the attached Schedule:

<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interest to be Acquired</u>
1.	107	Fee Simple Title

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT  
By:   
Deputy Clerk





# Description and Sketch

(NOT A SURVEY)

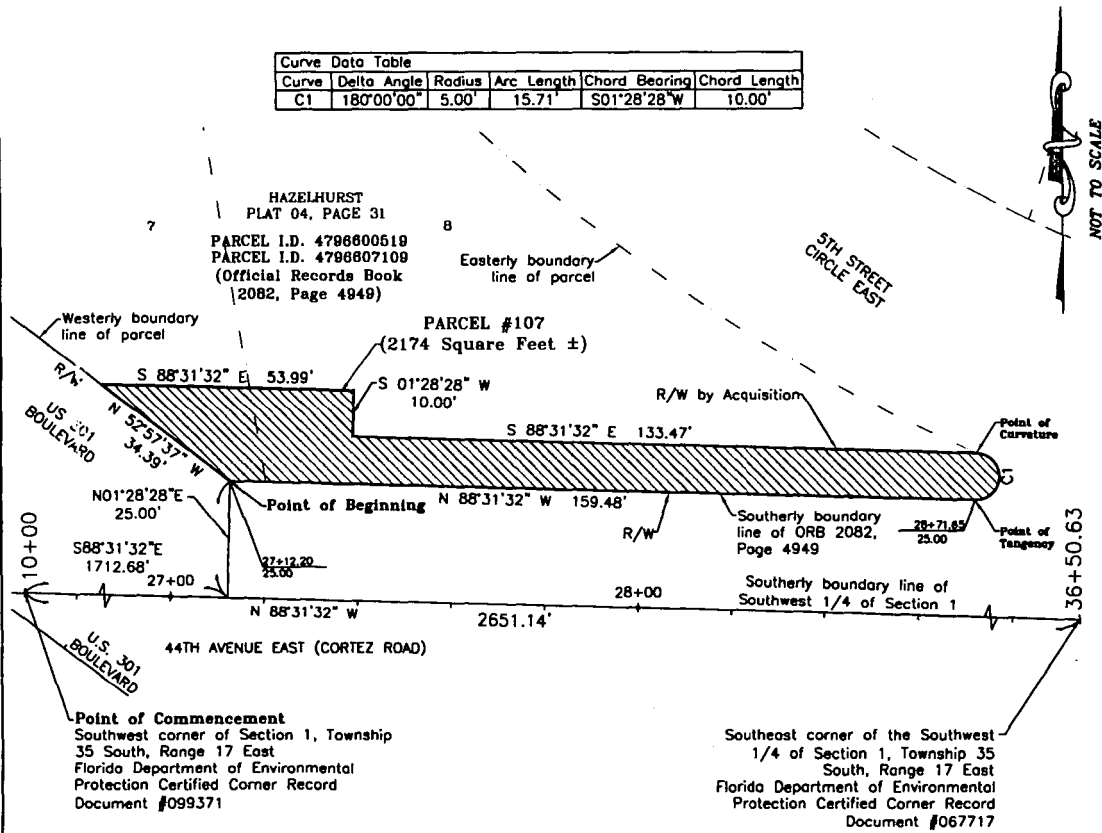
DESCRIPTION: PARCEL #107

A portion of the parcel described in Official Records Book 2074, Page 1288, and Book 2074, Page 1291 of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 1712.68 feet along the southerly boundary line of Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING; thence N52°57'37"W, 34.39 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 53.99 feet; thence S01°28'28"W, 10.00 feet; thence S88°31'32"E, 133.47 feet to the easterly boundary line of said parcel and the beginning of a curve concave to the west having a radius of 5.00 feet; thence southerly, 15.71 feet along said arc of said curve, through a delta angle 180°00'00", (chord bears S01°28'28"W, 10.00 feet) to the southerly boundary line of said parcel; thence N88°31'32"W, 159.48 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 2174 Square Feet more or less.

Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	180°00'00"	5.00'	15.71'	S01°28'28"W	10.00'



**SCHEDULE 1**

**Notes:**

1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
3. The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**REVISIONS:**

TOOD E. BOYLE  
 CERTIFICATE  
 Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047  
 10/5/10

**FEE ACQUISITION  
 PARCEL #107  
 PROJECT# 3346001060**

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4"x4")
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION
SIRC	= SET IRON ROD/CAP (5/8")

Drawn By: TRC
Checked By: TEB
Scale: NOT TO SCALE
DWG.: Parcel 107
Sheet: 1 OF 1
Section 01, Township 35 South, Range 17 East

MANATEE COUNTY  
 PROPERTY MANAGEMENT  
 SURVEY DIVISION

1112 MANATEE AVENUE WEST  
 BRANDTOWN, FLORIDA, 34205  
 (813) 748-4501

**RESOLUTION R-11-044**

**A RESOLUTION AUTHORIZING USE OF “QUICK TAKING”  
CONDEMNATION PROCEEDINGS FOR THE PUBLIC USE  
AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING,  
OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY  
AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE  
COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 107  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East by purchase from the owners; and

**WHEREAS**, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said property, as described and set out in Resolution R-11-043; and

**WHEREAS**, the Board of County Commissioners wishes to utilize “quick taking” condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, as follows that:

1. Manatee County is authorized to utilize “quick taking” eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interest in the property hereinafter described.

2. Manatee County cannot proceed with the necessary improvements to 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East until it acquires title to the hereinafter-described property.

3. Delay in acquiring the necessary interest and the resultant delay in construction will adversely affect the project.


4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The property to be taken is more particularly described in the Schedule which is attached hereto and made a part hereof.

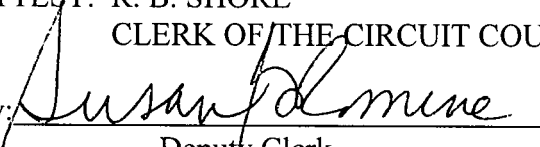
6. This Resolution shall take effect immediately upon its passage.

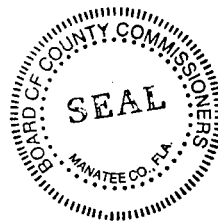
**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT

By:   
Deputy Clerk



# Description and Sketch

(NOT A SURVEY)

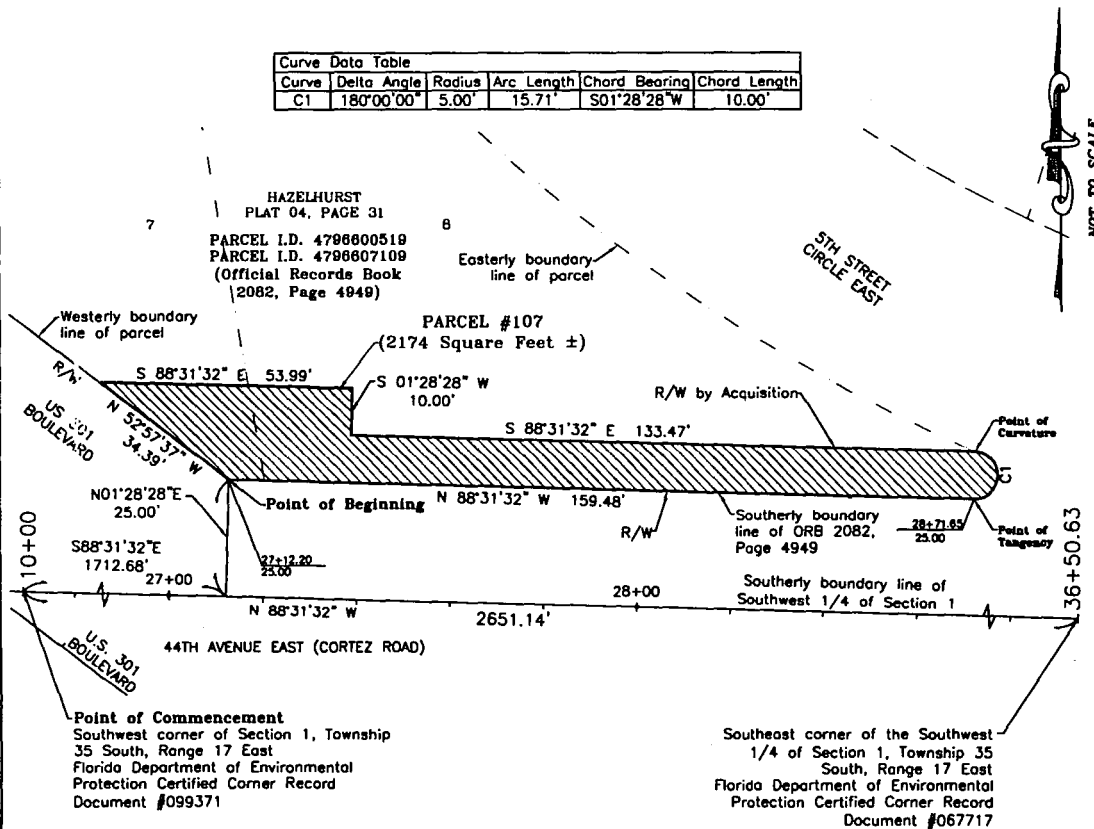
**DESCRIPTION: PARCEL #107**

A portion of the parcel described in Official Records Book 2074, Page 1288, and Book 2074, Page 1291 of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Southwest corner of Section 1, Township 35 South, Range 17 East, Manatee County, Florida; thence S88°31'32"E, 1712.68 feet along the southerly boundary line of Southwest 1/4 of said Section 1; thence N01°28'28"E, 25.00 feet to the southerly boundary line of said parcel for the POINT OF BEGINNING; thence N52°57'37"W, 34.39 feet along the westerly boundary line of said parcel; thence S88°31'32"E, 53.99 feet; thence S01°28'28"W, 10.00 feet; thence S88°31'32"E, 133.47 feet to the easterly boundary line of said parcel and the beginning of a curve concave to the west having a radius of 5.00 feet; thence southerly, 15.71 feet along said arc of said curve, through a delta angle 180°00'00", (chord bears S01°28'28"W, 10.00 feet) to the southerly boundary line of said parcel; thence N88°31'32"W, 159.48 feet along said southerly boundary line to the POINT OF BEGINNING.

Containing 2174 Square Feet more or less.

Curve Data Table					
Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	180°00'00"	5.00'	15.71'	S01°28'28"W	10.00'



SCHEDULE 1

- Notes:**
- This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  - Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  - The basis of bearing is the southerly line of the Southwest 1/4 of Section 1, Township 35, South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**REVISIONS:**

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

<p><b>FEE ACQUISITION PARCEL #107 PROJECT# 3346001060</b></p>	<p><b>LEGEND</b></p> <p>FCM = FOUND CONCRETE MONUMENT (4"x4")          FIRG = FOUND CAPPED IRON ROD          I.D. = IDENTIFICATION          LB = LICENSED BUSINESS          NDF = NAIL AND DISK FOUND (ID NOTED)          PSM = PROFESSIONAL SURVEYOR &amp; MAPPER          RSM = REGISTERED SURVEYOR &amp; MAPPER          R/W = RIGHT OF WAY          Sec = SECTION          SIRC = SET IRON ROD/CAP (5/8")</p>	<p>Drawn By: JRC          Checked-By: TEB          Scale: NOT TO SCALE          DWG.: Parcel 107          Sheet: 1 OF 1</p>	
	<p>Section 01, Township 35 South, Range 17 East</p>		<p>1112 MANATEE AVENUE WEST          BRADYTON, FLORIDA 34205          (941) 748-4501</p>

**RESOLUTION R-11-045**

**A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCELS 127 AND 827  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

**WHEREAS**, Manatee County has determined that 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; and

**WHEREAS**, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described road; and

**WHEREAS**, the owners of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

**WHEREAS**, the construction of the project will be impeded unless the properties are acquired by Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, that the Manatee County Public

Works and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interests in the aforementioned properties, which properties are more particularly described in the Schedules which are attached hereto and made a part hereof.

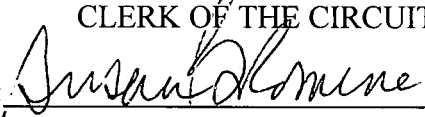
**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the properties, hereby finds and determines that the acquisition of the following interests are necessary as to the real properties described in the attached Schedules:

<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interests to be Acquired</u>
1.	127	Fee Simple Title
2..	827	Permanent Easement

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT  
By:   
Deputy Clerk



# Description and Sketch

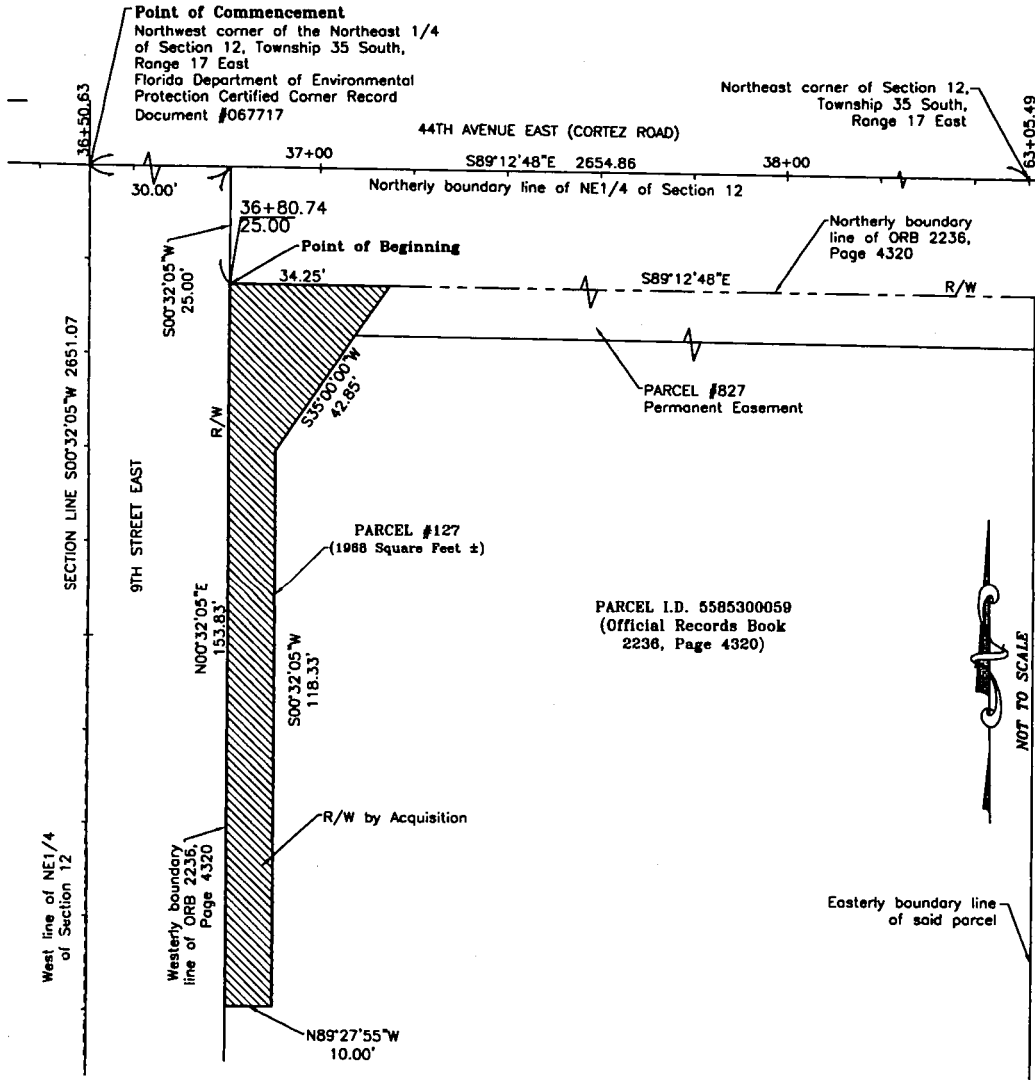
(NOT A SURVEY)

**DESCRIPTION: PARCEL #127**

A portion of the parcel described in Official Records Book 2236, Page 4320, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Northwest corner of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence S89°12'48"E, 30.00 feet along the northerly boundary line of said Northeast 1/4 of Section 12; thence S00°32'05"W, 25.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S89°12'48"E, 34.25 feet along the northerly boundary line of said parcel; thence S35°30'50"W, 42.85 feet; thence S00°32'05"W, 118.33 feet; thence N89°27'55"W, 10.00 feet to westerly boundary line of said parcel; thence N00°32'05"E, 153.83 feet along said westerly boundary line to the POINT OF BEGINNING.

Containing 1968 Square Feet more or less.



PARCEL I.D. 5585300059  
(Official Records Book 2236, Page 4320)

NOT TO SCALE

SCHEDULE 1

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the northerly line of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) S89°12'48"E.

**REVISIONS:**

Todd E. Boyta RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER #6047

<b>FEE ACQUISITION PARCEL #127 PROJECT# 3346001060</b>	<b>LEGEND</b>	Drawn By: TRC Checked By: TEB Scale: NOT TO SCALE DWG.: Parcel 127 Sheet: 1 OF 1	 1112 MANATEE AVENUE WEST BROOKTON, FLORIDA 34205 (813) 748-1501
	FCM = FOUND CONCRETE MONUMENT (4" X 4") FIRC = FOUND CAPPED IRON ROD I.D. = IDENTIFICATION LB = LICENSED BUSINESS NDF = NAIL AND DISK FOUND (ID NOTED) ORB = OFFICIAL RECORDS BOOK PSM = PROFESSIONAL SURVEYOR & MAPPER RSM = REGISTERED SURVEYOR & MAPPER R/W = RIGHT OF WAY Sec = SECTION	Manatee County PROPERTY MANAGEMENT SURVEY DIVISION	

# Description and Sketch

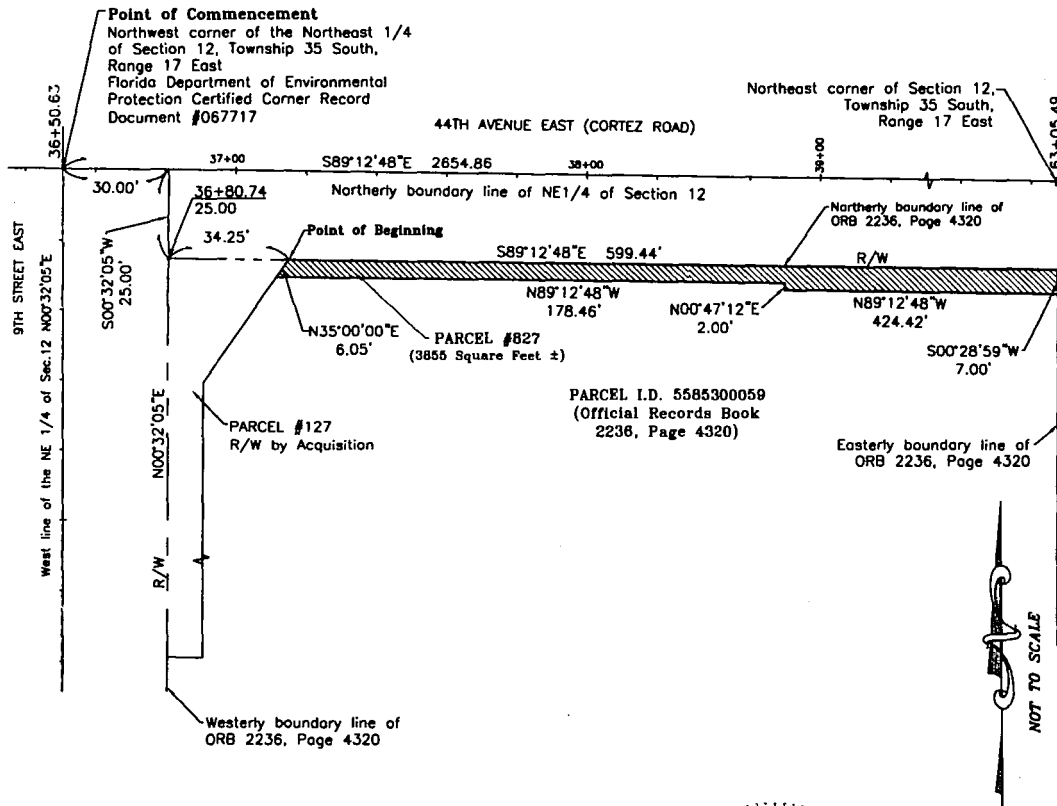
(NOT A SURVEY)

**DESCRIPTION: PARCEL #827**

A portion of the parcel described in Official Records Book 2236, Page 4320, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Northwest corner of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence S89°12'48"E, 30.00 feet along the northerly boundary line of said Northeast 1/4; thence S00°32'05"W, 25.00 feet to the northerly boundary line of said parcel; thence S89°12'48"E, 34.25 feet along said northerly boundary line for a POINT OF BEGINNING; thence S89°12'48"E, 599.44 along said northerly boundary line to the easterly boundary line of said parcel; thence S00°28'59"W, 7.00 feet along said easterly boundary line; thence N89°12'48"W, 424.42 feet; thence N00°47'12"E, 2.00 feet; thence N89°12'48"W, 178.46 feet; thence N35°00'00"E, 6.05 feet to the POINT OF BEGINNING.

Containing 3855 Square Feet more or less.



## SCHEDULE 2

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the northerly line of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S89°12'48"E.

REVISIONS:

10/5/10

Todd E. Boyle, RSM

FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

<p><b>PERMANENT EASEMENT PARCEL #827 PROJECT# 3346001060</b></p>	<p><b>LEGEND</b></p> <p>FCM = FOUND CONCRETE MONUMENT (4"x4")                  FIRC = FOUND CAPPED IRON ROD                  I.D. = IDENTIFICATION                  LB = LICENSED BUSINESS                  NDF = NAIL AND DISK FOUND (ID NOTED)                  ORB = OFFICIAL RECORDS BOOK                  PSM = PROFESSIONAL SURVEYOR &amp; MAPPER                  RSM = REGISTERED SURVEYOR &amp; MAPPER                  R/W = RIGHT OF WAY                  Sec = SECTION</p>	<p>Drawn By: TRC</p> <p>Checked By: TEB</p> <p>Scale: NOT TO SCALE</p> <p>DWG.: Parcel 827</p> <p>Sheet: 1 OF 1</p> <p>Section 12, Township 35 South, Range 17 East</p>	<p style="font-size: 0.8em;">MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p> <p style="font-size: 0.7em;">1112 MANATEE AVENUE WEST BRADENTON, FLORIDA 34205 (941) 748-4501</p>
	<p style="font-size: 0.8em;">MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p>		



**RESOLUTION R-11-046**

**A RESOLUTION AUTHORIZING USE OF "QUICK TAKING" CONDEMNATION PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCELS 127 AND 827  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East by purchase from the owners; and

**WHEREAS**, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said properties, all as described and set out in Resolution R-11-045; and

**WHEREAS**, the Board of County Commissioners wishes to utilize "quick taking" condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, as follows that:

1. Manatee County is authorized to utilize "quick taking" eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interests in the properties hereinafter described.

2. Manatee County cannot proceed with the necessary improvements to 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East until it acquires title to the hereinafter-described properties.

3. Delay in acquiring the necessary interests and the resultant delay in construction will adversely affect the project.

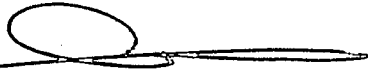
4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The properties to be taken are more particularly described in the Schedules which are attached hereto and made a part hereof.

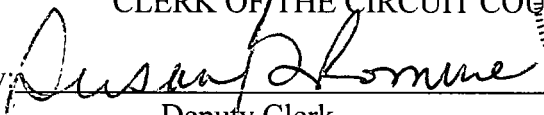
6. This Resolution shall take effect immediately upon its passage.

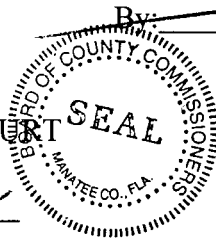
**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT

By:   
Deputy Clerk



# Description and Sketch

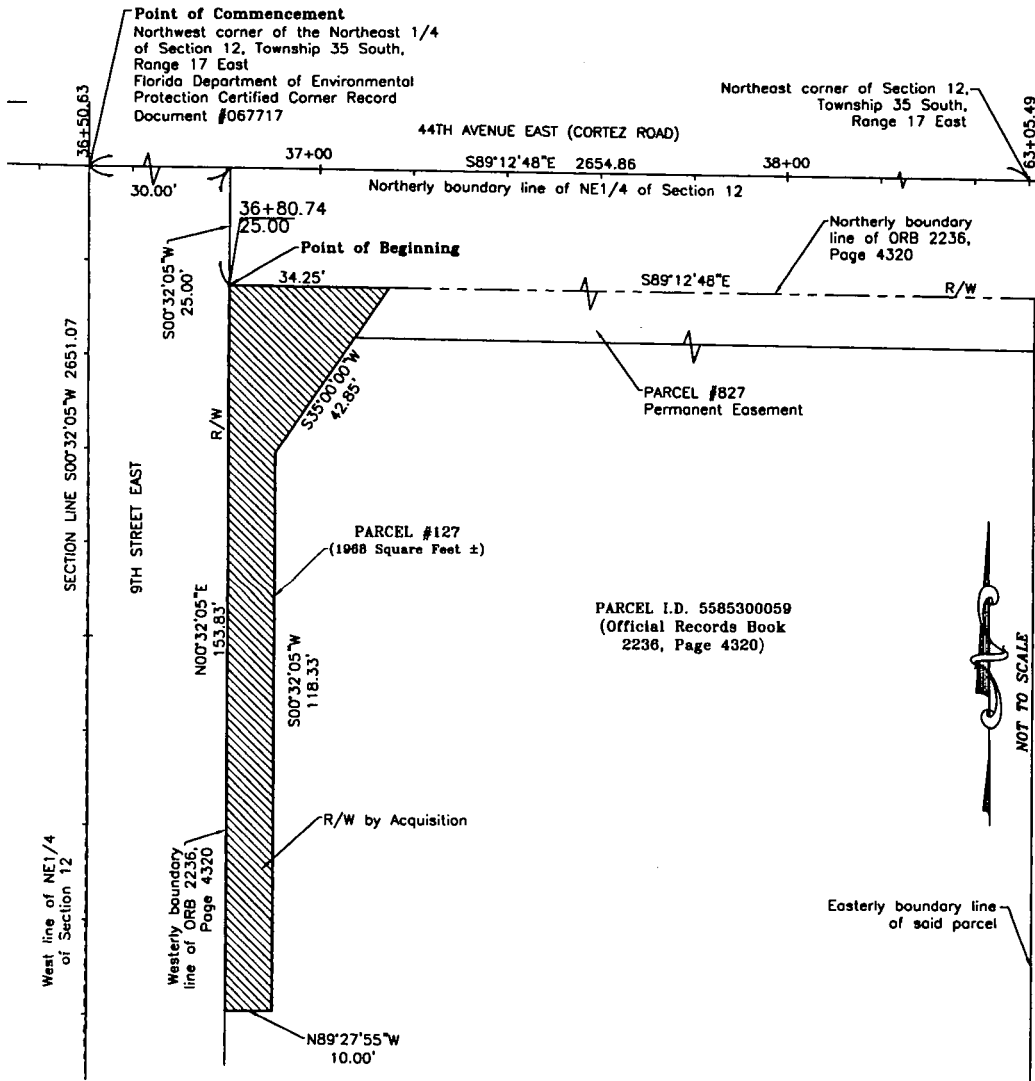
(NOT A SURVEY)

**DESCRIPTION: PARCEL #127**

A portion of the parcel described in Official Records Book 2236, Page 4320, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Northwest corner of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence S89°12'48"E, 30.00 feet along the northerly boundary line of said Northeast 1/4 of Section 12; thence S00°32'05"W, 25.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S89°12'48"E, 34.25 feet along the northerly boundary line of said parcel; thence S35°00'00"W, 42.85 feet; thence S00°32'05"W, 118.33 feet; thence N89°27'55"W, 10.00 feet to westerly boundary line of said parcel; thence N00°32'05"E, 153.83 feet along said westerly boundary line to the POINT OF BEGINNING.

Containing 1968 Square Feet more or less.



SCHEDULE 1

- Notes:**
- This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  - Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  - The basis of bearing is the northerly line of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) S89°12'48"E.

**REVISIONS:**

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

<b>FEE ACQUISITION</b> <b>PARCEL #127</b> <b>PROJECT# 3346001060</b>	<b>LEGEND</b>	Drawn By: TRC	 <small>MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</small> <small>1112 MANATEE AVENUE WEST BRADDOCK, FLORIDA, 34705 (813) 748-4321</small>
	FCM = FOUND CONCRETE MONUMENT (4"x4")	Checked By: TEB	
	FIRC = FOUND CAPPED IRON ROD	Scale: NOT TO SCALE	
	I.D. = IDENTIFICATION	DWG.: Parcel 127	
LB = LICENSED BUSINESS	Sheet: 1 OF 1	Section 12, Township 35 South, Range 17 East	
NDF = NAIL AND DISK FOUND (ID NOTED)			
ORB = OFFICIAL RECORDS BOOK			
PSM = PROFESSIONAL SURVEYOR & MAPPER			
RSM = REGISTERED SURVEYOR & MAPPER			
R/W = RIGHT OF WAY			
Sec = SECTION			

# Description and Sketch

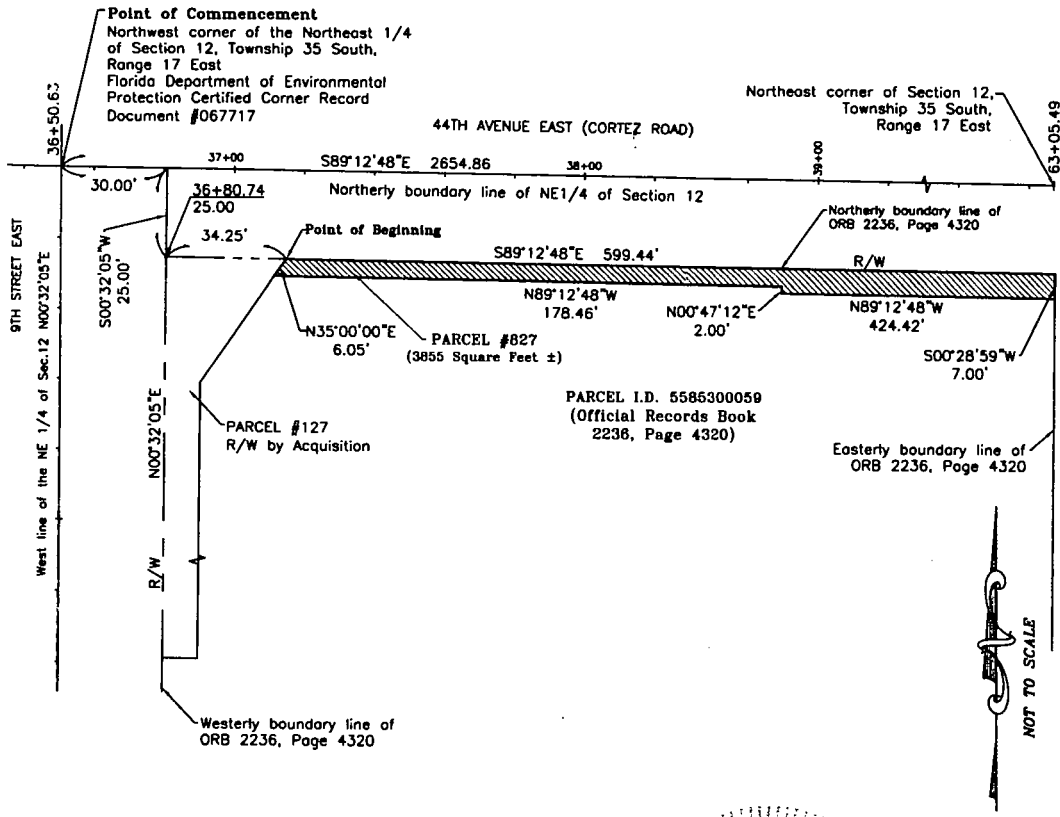
(NOT A SURVEY)

**DESCRIPTION: PARCEL #827**

A portion of the parcel described in Official Records Book 2236, Page 4320, of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Northwest corner of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence S89°12'48"E, 30.00 feet along the northerly boundary line of said Northeast 1/4; thence S00°32'05"W, 25.00 feet to the northerly boundary line of said parcel; thence S89°12'48"E, 34.25 feet along said northerly boundary line for a POINT OF BEGINNING; thence S89°12'48"E, 599.44 along said northerly boundary line to the easterly boundary line of said parcel; thence S00°28'59"W, 7.00 feet along said easterly boundary line; thence N89°12'48"W, 424.42 feet; thence N00°47'12"E, 2.00 feet; thence N89°12'48"W, 178.46 feet; thence N35°00'00"E, 6.05 feet to the POINT OF BEGINNING.

Containing 3855 Square Feet more or less.



**SCHEDULE 2**

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the northerly line of the Northeast 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S89°12'48"E.

REVISIONS:

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

<p><b>PERMANENT EASEMENT PARCEL #827 PROJECT# 3346001060</b></p>	<p><b>LEGEND</b></p>	<p>Drawn By: TRC Checked By: TEB Scale: NOT TO SCALE DWG: Parcel 827 Sheet: 1 OF 1 Section 12, Township 35 South, Range 17 East</p>	<p>MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST BROOKVIEW, FLORIDA, 34205 (817) 748-4501</p>
	<p>FCM = FOUND CONCRETE MONUMENT (4"X4") FIRC = FOUND CAPPED IRON ROD I.D. = IDENTIFICATION LB = LICENSED BUSINESS NDF = NAIL AND DISK FOUND (ID NOTED) ORB = OFFICIAL RECORDS BOOK PSM = PROFESSIONAL SURVEYOR &amp; MAPPER RSM = REGISTERED SURVEYOR &amp; MAPPER R/W = RIGHT OF WAY Sec = SECTION</p>		

**RESOLUTION R-11-047**

**A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 129  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

**WHEREAS**, Manatee County has determined that 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; and

**WHEREAS**, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described road; and

**WHEREAS**, the owner of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

**WHEREAS**, the construction of the project will be impeded unless the property is acquired by Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, that the Manatee County Public

Works and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interest in the aforementioned property, which property is more particularly described in the Schedule which is attached hereto and made a part hereof.

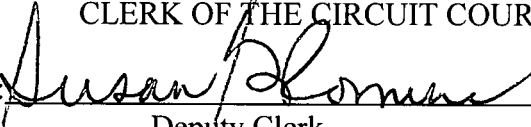
**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the property, hereby finds and determines that the acquisition of the following interest is necessary as to the real property described in the attached Schedule:

<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interest to be Acquired</u>
1.	129	Fee Simple Title

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT  
By:   
Deputy Clerk



# Description and Sketch

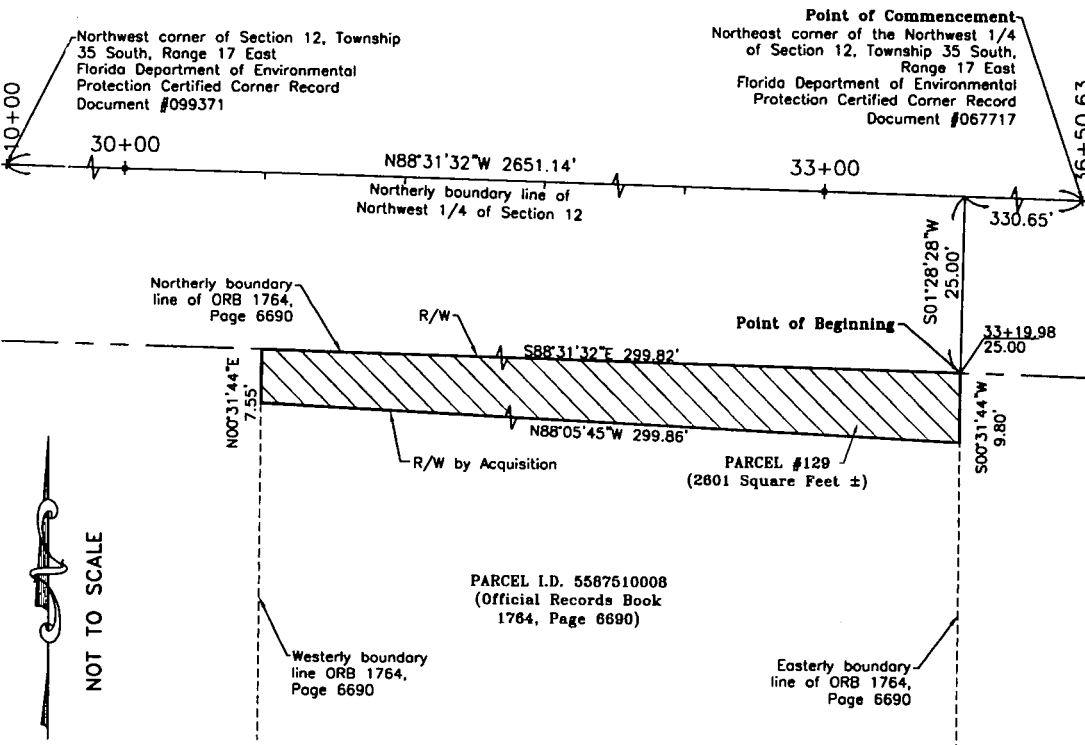
(NOT A SURVEY)

**DESCRIPTION: PARCEL #129**

A portion of the Parcel described in Official Records Book 1764, page 6690, of the Public Records of Manatee County, Florida being more specifically described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence N88°31'32"W, 330.65 feet along the northerly boundary line of the Northwest 1/4 of said Section 12; thence S01°28'28"W, 25.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S00°31'44"W, 9.80 feet along the easterly boundary line of said parcel; thence N88°05'45"W, 299.86 feet to the westerly boundary line of said parcel; thence N00°31'44"E, 7.55 feet along said westerly boundary line to the northerly boundary line of said parcel; thence S88°31'32"E, 299.82 feet along said northerly boundary line to the POINT OF BEGINNING.

Containing 2601 Square Feet more or less.



## SCHEDULE 1

PARCEL I.D. 5587510008  
(Official Records Book 1764, Page 6690)

**REVISIONS:**

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the northerly line of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**FEE ACQUISITION  
PARCEL #129  
PROJECT# 3346001060**

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4"X4")
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
ORB	= OFFICIAL RECORDS BOOK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION

Drawn By: TRC
Checked By: TEB
Scale: NOT TO SCALE
DWG.: Parcel 129
Sheet: 1 OF 1
Section 12, Township 35 South, Range 17 East

1112 MANATEE AVENUE WEST  
 BRADDOCK, FLORIDA 34705  
 (941) 748-4501

**RESOLUTION R-11-048**

**A RESOLUTION AUTHORIZING USE OF “QUICK TAKING”  
CONDEMNATION PROCEEDINGS FOR THE PUBLIC USE  
AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING,  
OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY  
AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE  
COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 129  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East by purchase from the owners; and

**WHEREAS**, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said property, as described and set out in Resolution R-11-047; and

**WHEREAS**, the Board of County Commissioners wishes to utilize “quick taking” condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, as follows that:

1. Manatee County is authorized to utilize “quick taking” eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interest in the property hereinafter described.



2. Manatee County cannot proceed with the necessary improvements to 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East until it acquires title to the hereinafter-described property.

3. Delay in acquiring the necessary interest and the resultant delay in construction will adversely affect the project.

4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The property to be taken is more particularly described in the Schedule which is attached hereto and made a part hereof.

6. This Resolution shall take effect immediately upon its passage.

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: [Signature]  
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT

By: [Signature]  
Deputy Clerk



# Description and Sketch

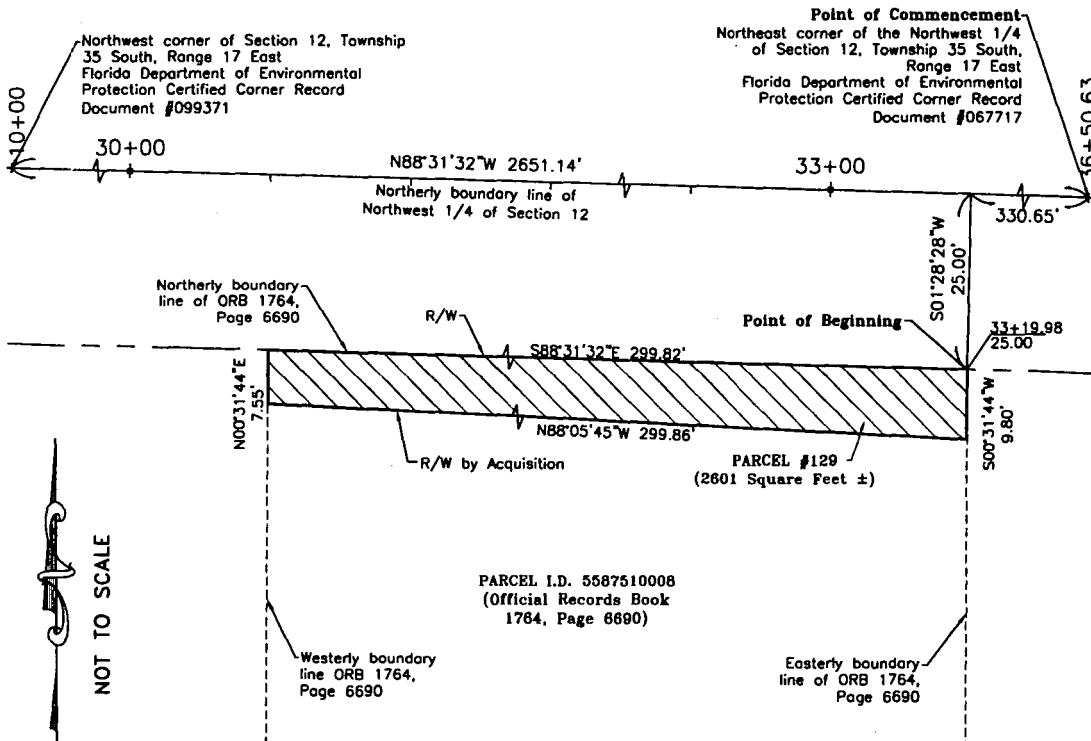
(NOT A SURVEY)

**DESCRIPTION: PARCEL #129**

A portion of the Parcel described in Official Records Book 1764, page 6690, of the Public Records of Manatee County, Florida being more specifically described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence N88°31'32"W, 330.65 feet along the northerly boundary line of the Northwest 1/4 of said Section 12; thence S01°28'28"W, 25.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S00°31'44"W, 9.80 feet along the easterly boundary line of said parcel; thence N88°05'45"W, 299.86 feet to the westerly boundary line of said parcel; thence N00°31'44"E, 7.55 feet along said westerly boundary line to the northerly boundary line of said parcel; thence S88°31'32"E, 299.82 feet along said northerly boundary line to the POINT OF BEGINNING.

Containing 2601 Square Feet more or less.



**SCHEDULE 1**

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the northerly line of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

REVISIONS:

*Todd E. Boyle*  
 Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047  
 10/5/10

**FEE ACQUISITION  
 PARCEL #129  
 PROJECT# 3346001060**

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4"x4")
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
ORB	= OFFICIAL RECORDS BOOK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION

Drawn By: TRC  
 Checked By: TEB  
 Scale: NOT TO SCALE  
 DWG.: Parcel 129  
 Sheet: 1 OF 1  
 Section 12, Township 35  
 South, Range 17 East

MANATEE COUNTY  
 PROPERTY MANAGEMENT  
 SURVEY DIVISION



1112 MANATEE AVENUE, WEST  
 BRADENTON, FLORIDA, 34205  
 (813) 748-4501

**RESOLUTION R-11-049**

**A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCELS 130 AND 730  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

**WHEREAS**, Manatee County has determined that 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; and

**WHEREAS**, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described road; and

**WHEREAS**, the owners of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

**WHEREAS**, the construction of the project will be impeded unless the properties are acquired by Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, that the Manatee County Public

Works and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interests in the aforementioned properties, which properties are more particularly described in the Schedules which are attached hereto and made a part hereof.

**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the properties, hereby finds and determines that the acquisition of the following interests are necessary as to the real properties described in the attached Schedules:

<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interests to be Acquired</u>
1.	130	Fee Simple Title
2.	730	Temporary Construction Easement for a period of three (3) years

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: [Signature]  
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT  
By: [Signature]  
Deputy Clerk



# Description and Sketch

(NOT A SURVEY)

DESCRIPTION: PARCEL #130

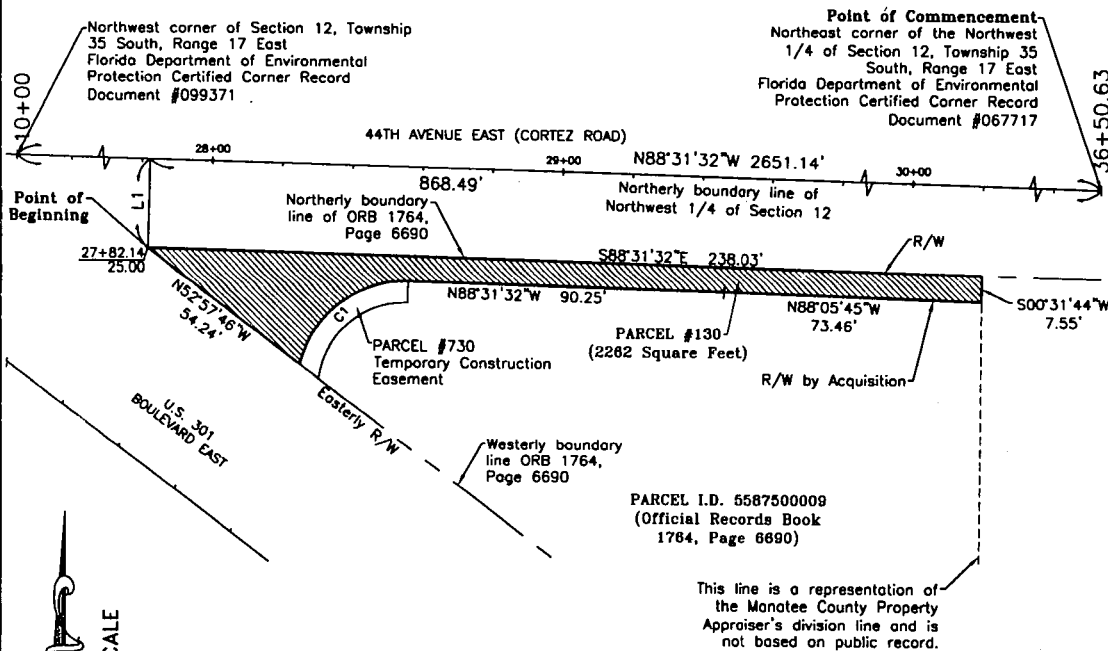
A portion of the parcel described in Official Records Book 1764, Page 6690 of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence N88°31'32"W, 868.49 feet along the northerly boundary line of said parcel; thence S01°28'28"W, 25.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S88°31'32"E, 238.03 feet along said northerly boundary line to the westerly boundary line of said parcel; thence S00°31'44"W, 7.55 feet along said westerly boundary line; thence N88°05'45"W, 73.46 feet; thence N88°31'32"W, 90.25 feet to the beginning of a curve concave to the southeast having a radius of 31.00 feet; thence southwesterly, 42.19 feet along the arc of said curve, through a delta angle of 77°59'01" (chord bears S52°28'58"W, 39.01 feet) to the westerly boundary line of said parcel, also being the easterly Right-of-Way line of U.S. 301 Boulevard; thence N52°57'46"W, 54.24 feet along said westerly boundary line and said easterly right-of-way line to the POINT OF BEGINNING.

Containing 2262 Square Feet more or less.

Curve Data Table					
Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	77°59'01"	31.00'	42.19'	S52°28'58"W	39.01'

Line	Bearing	Distance
L1	S01°28'28"W	25.00'



SCHEDULE 1

- Notes:**
- This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  - Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  - The basis of bearing is the northerly line of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

REVISIONS:

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

LEGEND		Drawn By: TRC	MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION
FCM	= FOUND CONCRETE MONUMENT (4"x4")	Checked By: TEB	 1112 MANATEE AVENUE WEST BRADENTON, FLORIDA, 34205 (941) 748-4801
FIRC	= FOUND CAPPED IRON ROD	Scale: NOT TO SCALE	
I.D.	= IDENTIFICATION	DWG.: Parcel 130	
LB	= LICENSED BUSINESS	Sheet: 1 OF 1	
NDF	= NAIL AND DISK FOUND (ID NOTED)	Section 12, Township 35 South, Range 17 East	
ORB	= OFFICIAL RECORDS BOOK		
PSM	= PROFESSIONAL SURVEYOR & MAPPER		
RSM	= REGISTERED SURVEYOR & MAPPER		
R/W	= RIGHT OF WAY		
Sec	= SECTION		

**FEE ACQUISITION  
PARCEL #130  
PROJECT# 3346001060**

NOT TO SCALE

# Description and Sketch

(NOT A SURVEY)

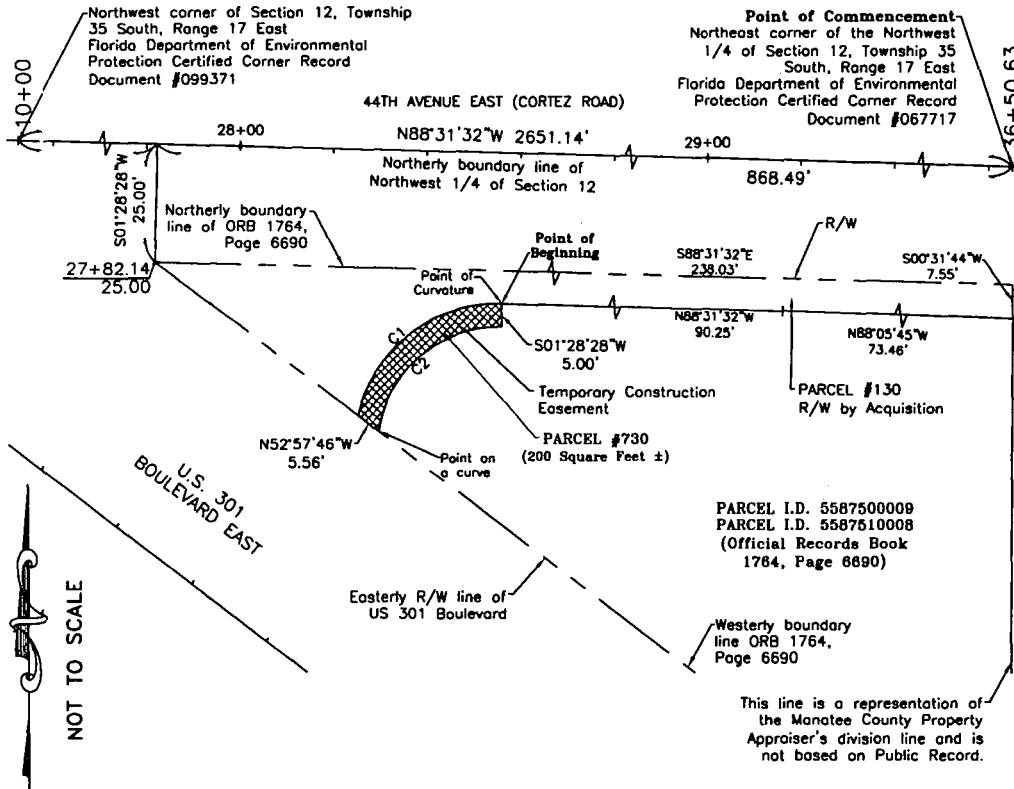
**DESCRIPTION: PARCEL #730**

A portion of the parcel described in Official Records Book 1764, Page 6690 of the Public Records of Manatee County, Florida being more specifically described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence N88°31'32"W, 868.49 feet along the northerly boundary line of said Northwest 1/4; thence S01°28'28"W, 25.00 feet to the northerly boundary line of said parcel; thence S88°31'32"E, 238.03 feet along said northerly boundary line; thence S00°31'44"W, 7.55 feet; thence N88°05'45"W, 73.46 feet; thence N88°31'32"W, 90.25 feet to the POINT OF BEGINNING; thence S01°28'28"W, 5.00 feet to a non-tangent curve concave to the southeast, having a radius of 26.00 feet; thence southwesterly, 37.61 feet along the arc of said curve through a delta angle of 82°52'57" (chord bears S50°02'00"W, 34.42 feet) to the westerly boundary line of said parcel also being the easterly right-of-way line of U.S. 301 Boulevard; thence N52°57'46"W, 5.56 feet along said westerly boundary line and easterly right-of-way line to a non-tangent curve concave to the southeast having a radius of 31.00 feet; thence northeasterly, 42.19 feet along the arc of said curve through a delta angle of 77°59'01" (chord bears N52°28'58"E, 39.01 feet) to the POINT OF BEGINNING.

Containing 200 Square Feet more or less.

Curve Data Table					
Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	77°59'01"	31.00'	42.19'	S52°28'58"W	39.01'
C2	82°52'57"	26.00'	37.61'	N50°02'00"E	34.42'



**SCHEDULE 2**

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the northerly line of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**REVISIONS:**

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER 6047  
 7/5/10

**TEMPORARY  
 CONSTRUCTION EASEMENT  
 PARCEL #730  
 3 YEAR TERM LIMIT  
 PROJECT# 3346001060**

- LEGEND**
- FCM = FOUND CONCRETE MONUMENT (4"x4")
  - FIRC = FOUND CAPPED IRON ROD
  - I.D. = IDENTIFICATION
  - LB = LICENSED BUSINESS
  - NDF = NAIL AND DISK FOUND (ID NOTED)
  - ORB = OFFICIAL RECORDS BOOK
  - PSM = PROFESSIONAL SURVEYOR & MAPPER
  - RSM = REGISTERED SURVEYOR & MAPPER
  - R/W = RIGHT OF WAY
  - Sec = SECTION

Drawn By: TRC  
 Checked By: TEB  
 Scale: NOT TO SCALE  
 DWG.: Parcel 730  
 Sheet: 1 OF 1  
 Section 12, Township 35 South, Range 17 East

MANATEE COUNTY  
 PROPERTY MANAGEMENT  
 SURVEY DIVISION  
 1112 MANATEE AVENUE WEST  
 BROOKLYN, FLORIDA 34205  
 (813) 748-1001

**RESOLUTION R-11-050**

**A RESOLUTION AUTHORIZING USE OF “QUICK TAKING”  
CONDEMNATION PROCEEDINGS FOR THE PUBLIC USE  
AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING,  
OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY  
AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE  
COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCELS 130 AND 730  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East by purchase from the owners; and

**WHEREAS**, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said properties, all as described and set out in Resolution R-11-049; and

**WHEREAS**, the Board of County Commissioners wishes to utilize “quick taking” condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, as follows that:

1. Manatee County is authorized to utilize “quick taking” eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interests in the properties hereinafter described.

2. Manatee County cannot proceed with the necessary improvements to 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East until it acquires title to the hereinafter-described properties.

3. Delay in acquiring the necessary interests and the resultant delay in construction will adversely affect the project.

4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The properties to be taken are more particularly described in the Schedules which are attached hereto and made a part hereof.

6. This Resolution shall take effect immediately upon its passage.

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

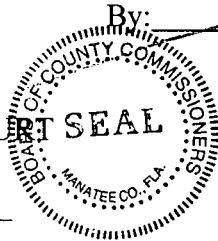
BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: \_\_\_\_\_

Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT

By: *Susan Romero*  
Deputy Clerk





# Description and Sketch

(NOT A SURVEY)

DESCRIPTION: PARCEL #130

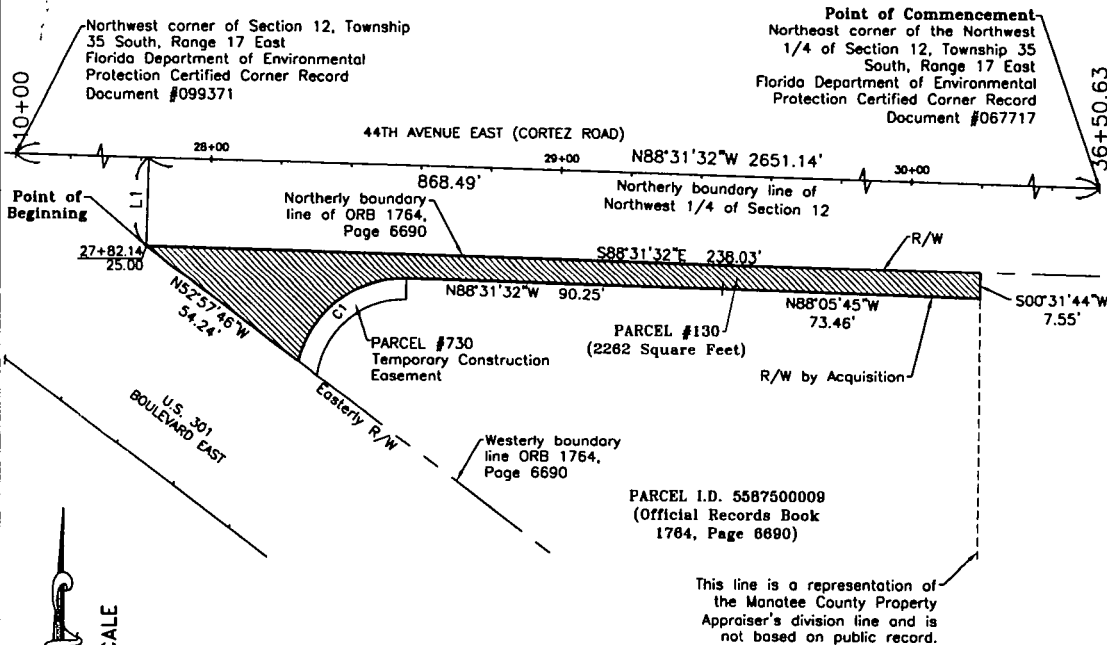
A portion of the parcel described in Official Records Book 1764, Page 6690 of the Public Records of Manatee County, Florida, being more specifically described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence N88°31'32"W, 868.49 feet along the northerly boundary line of said Northwest 1/4; thence S01°28'28"W, 25.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S88°31'32"E, 238.03 feet along said northerly boundary line to the westerly boundary line of said parcel; thence S00°31'44"W, 7.55 feet along said westerly boundary line; thence N88°05'45"W, 73.46 feet; thence N88°31'32"W, 90.25 feet to the beginning of a curve concave to the southeast having a radius of 31.00 feet; thence southwesterly, 42.19 feet along the arc of said curve, through a delta angle of 77°59'01" (chord bears S52°28'58"W, 39.01 feet) to the westerly boundary line of said parcel, also being the easterly Right-of-Way line of U.S. 301 Boulevard; thence N52°57'46"W, 54.24 feet along said westerly boundary line and said easterly right-of-way line to the POINT OF BEGINNING.

Containing 2262 Square Feet more or less.

Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	77°59'01"	31.00'	42.19'	S52°28'58"W	39.01'

Line	Bearing	Distance
L1	S01°28'28"W	25.00'



SCHEDULE 1

NOT TO SCALE

REVISIONS:

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6047

**Notes:**

1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
3. The basis of bearing is the northerly line of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**FEE ACQUISITION  
PARCEL #130  
PROJECT# 3346001060**

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4"x4")
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
ORB	= OFFICIAL RECORDS BOOK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION

Drawn By: TRC
Checked By: TEB
Scale: NOT TO SCALE
DWG.: Parcel 130
Sheet: 1 OF 1
Section 12, Township 35 South, Range 17 East

MANATEE COUNTY  
PROPERTY MANAGEMENT  
SURVEY DIVISION

1112 MANATEE AVENUE, WEST  
BRADENTON, FLORIDA 34205  
(813) 748-4501

# Description and Sketch

(NOT A SURVEY)

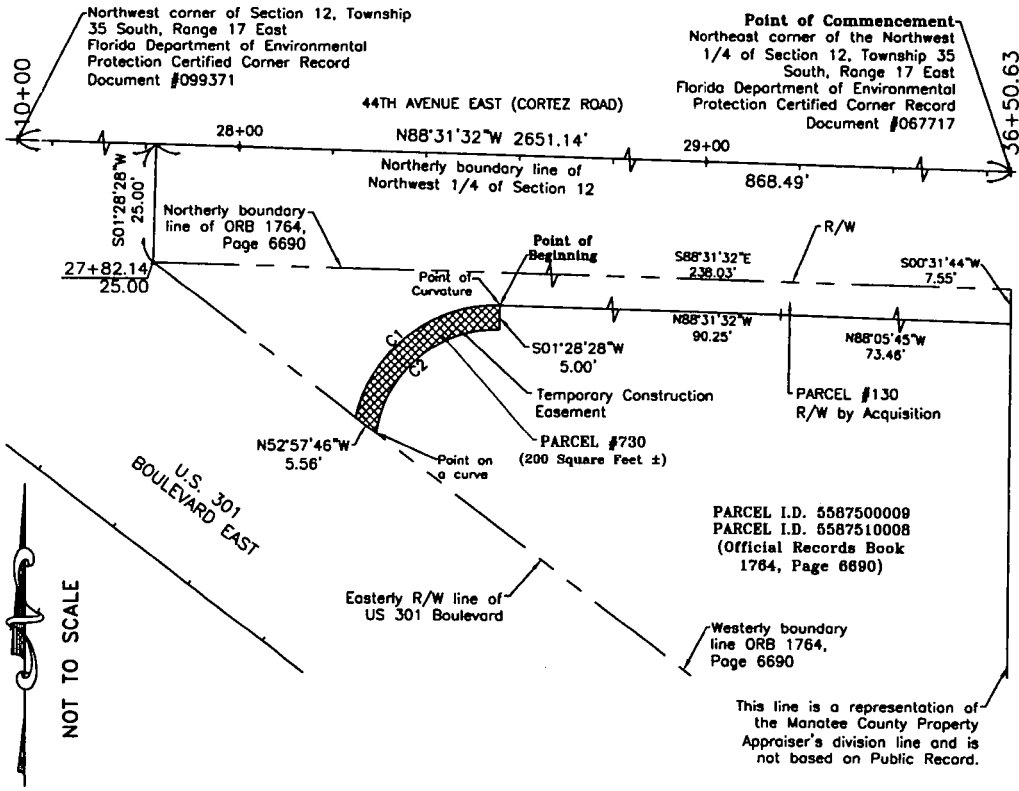
**DESCRIPTION: PARCEL #730**

A part of the parcel described in Official Records Book 1764, Page 6690 of the Public Records of Manatee County, Florida being more specifically described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence N88°31'32"W, 868.49 feet along the northerly boundary line of said Northwest 1/4; thence S01°28'28"W, 25.00 feet to the northerly boundary line of said parcel; thence S88°31'32"E, 238.03 feet along said northerly boundary line; thence S00°31'44"W, 7.55 feet; thence N88°05'45"W, 73.46 feet; thence N88°31'32"W, 90.25 feet to the POINT OF BEGINNING; thence S01°28'28"W, 5.00 feet to a non-tangent curve concave to the southeast, having a radius of 26.00 feet; thence southwesterly, 37.61 feet along the arc of said curve through a delta angle of 82°52'57" (chord bears S50°02'00"W, 34.42 feet) to the westerly boundary line of said parcel also being the easterly right-of-way line of U.S. 301 Boulevard; thence N52°57'46"W, 5.56 feet along said westerly boundary line and easterly right-of-way line to a non-tangent curve concave to the southeast having a radius of 31.00 feet; thence northeasterly, 42.19 feet along the arc of said curve through a delta angle of 77°59'01" (chord bears N52°28'58"E, 39.01 feet) to the POINT OF BEGINNING.

Containing 200 Square Feet more or less.

Curve Data Table					
Curve	Delta Angle	Radius	Arc Length	Chord Bearing	Chord Length
C1	77°59'01"	31.00'	42.19'	S52°28'58"W	39.01'
C2	82°52'57"	26.00'	37.61'	N50°02'00"E	34.42'



**SCHEDULE 2**

NOT TO SCALE

PARCEL I.D. 5587500009  
PARCEL I.D. 5587510008  
(Official Records Book 1764, Page 6690)

This line is a representation of the Manatee County Property Appraiser's division line and is not based on Public Record.

- Notes:**
1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
  2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
  3. The basis of bearing is the northerly line of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) which bears S88°31'32"E.

**REVISIONS:**

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER #047

<p><b>TEMPORARY CONSTRUCTION EASEMENT PARCEL #730 3 YEAR TERM LIMIT PROJECT# 3346001060</b></p>	<p><b>LEGEND</b></p> <p>FCM = FOUND CONCRETE MONUMENT (4"x4")          FIRG = FOUND CAPPED IRON ROD          I.D. = IDENTIFICATION          LB = LICENSED BUSINESS          NDF = NAIL AND DISK FOUND (ID NOTED)          ORB = OFFICIAL RECORDS BOOK          PSM = PROFESSIONAL SURVEYOR &amp; MAPPER          RSM = REGISTERED SURVEYOR &amp; MAPPER          R/W = RIGHT OF WAY          Sec = SECTION</p>	<p>Drawn By: JRC          Checked By: TEB          Scale: NOT TO SCALE          DWG.: Parcel 730          Sheet: 1 OF 1          Section 12, Township 35          South, Range 17 East</p>
		<p>MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p> <p>1112 MANATEE AVENUE, WEST BRADENTON, FLORIDA, 34205 (813) 746-4501</p>

**RESOLUTION R-11-051**

**A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING, OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE COUNTY, FLORIDA.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 731  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County is a political subdivision of the State of Florida and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

**WHEREAS**, Manatee County has determined that 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East must be improved to relieve congestion and to safely accommodate vehicular traffic and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of the road, and for other right-of-way purposes, including, but not limited to, sidewalks, streetlights, drainage, retention and utility facilities, and drainage ditches; and

**WHEREAS**, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described road; and

**WHEREAS**, the owner of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

**WHEREAS**, the construction of the project will be impeded unless the property is acquired by Manatee County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, that the Manatee County Public

Works and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interest in the aforementioned property, which property is more particularly described in the Schedule which is attached hereto and made a part hereof.

**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the property, hereby finds and determines that the acquisition of the following interest is necessary as to the real property described in the attached Schedule:

<u>Schedule No.</u>	<u>Parcel No.</u>	<u>Interest to be Acquired</u>
1.	731	Temporary Construction Easement for a period of three (3) years

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By: \_\_\_\_\_  
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT

By: Susan Romine  
Deputy Clerk



# Description and Sketch

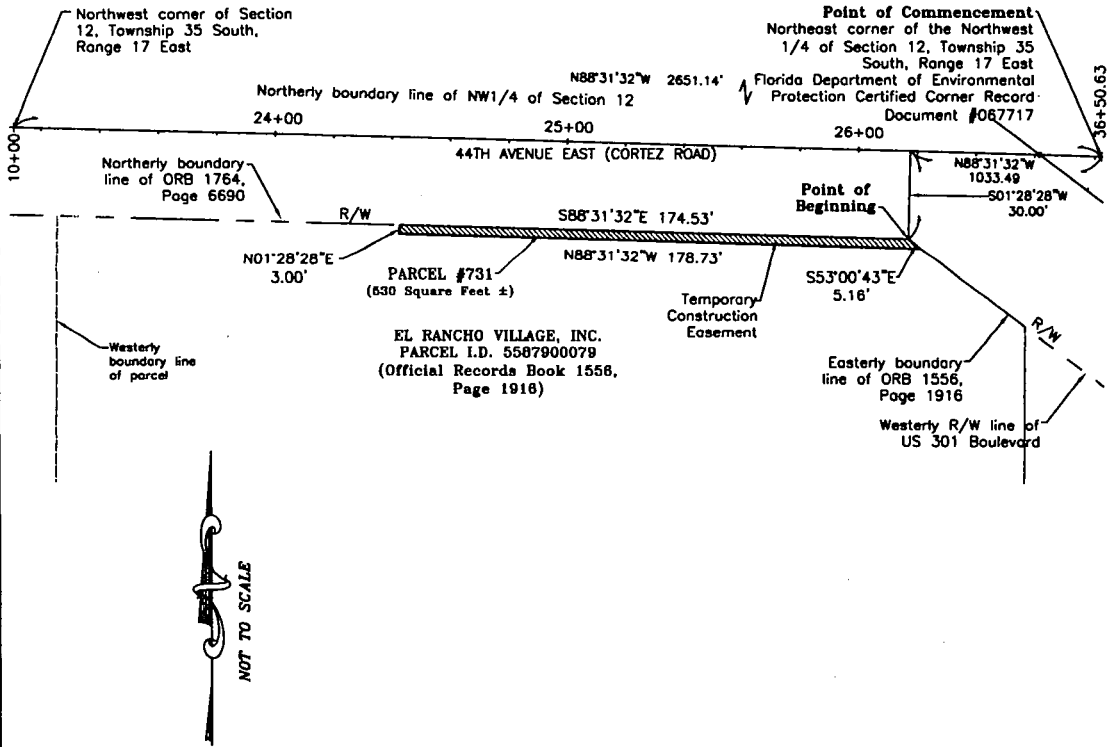
(NOT A SURVEY)

**DESCRIPTION: PARCEL #731**

A portion of the parcel described in Official Records Book 1556, Page 1916 of the Public Records of Manatee County, Florida being more specifically described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence N88°31'32"W, 1033.49 feet along the northerly boundary line of said Northwest 1/4; thence S01°28'28"W, 30.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S53°00'43"E, 5.16 along the easterly boundary line of said parcel, also being the westerly right-of-way line of U.S. 301 Boulevard; thence N88°31'32"W, 178.73 feet; thence N01°28'28"E, 3.00 feet to the northerly boundary line of said parcel; thence S88°31'32"E, 174.53 feet along said northerly boundary line to the POINT OF BEGINNING.

Containing 530 Square Feet more or less.



**SCHEDULE 1**

**Notes:**

1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
3. The basis of bearing is the northerly line of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East (NADB3/90 Florida West Zone State Plane Coordinate System) S88°31'32"E.

**REVISIONS:**

Todd E. Boyle, RSM #6047  
 FLORIDA REGISTERED SURVEYOR & MAPPER

<p><b>TEMPORARY CONSTRUCTION EASEMENT PARCEL #731 3 YEAR TERM LIMIT PROJECT# 3346001060</b></p>	<p><b>LEGEND</b></p> <p>FCM = FOUND CONCRETE MONUMENT (4"X4")          FIRG = FOUND CAPPED IRON ROD          I.D. = IDENTIFICATION          LB = LICENSED BUSINESS          NDF = NAIL AND DISK FOUND (ID NOTED)          ORB = OFFICIAL RECORDS BOOK          PSM = PROFESSIONAL SURVEYOR &amp; MAPPER          RSM = REGISTERED SURVEYOR &amp; MAPPER          R/W = RIGHT OF WAY          Sec = SECTION</p>	<p>Drawn By: JTC          Checked by: TEB          Scale: NOT TO SCALE          DWG: Parcel 731          Sheet: 1 OF 1</p>	<p>MANATEE COUNTY PROPERTY MANAGEMENT SURVEY DIVISION</p> <p>1112 MANATEE AVENUE WEST BROOKDALE, FLORIDA 34609 (813) 748-4201</p>
---	--	--	---

**RESOLUTION R-11-052**

**A RESOLUTION AUTHORIZING USE OF “QUICK TAKING”  
CONDEMNATION PROCEEDINGS FOR THE PUBLIC USE  
AND PUBLIC PURPOSE OF CONSTRUCTING, WIDENING,  
OR IMPROVING A PUBLIC STREET, ROAD, OR HIGHWAY  
AS PART OF THE PUBLIC ROAD SYSTEM IN MANATEE  
COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

**44<sup>TH</sup> AVENUE EAST ROAD IMPROVEMENT PROJECT  
(US 41 /1<sup>ST</sup> STREET EAST TO 15<sup>TH</sup> STREET EAST)  
PARCEL 731  
PROJECT NO. 6001060**

**WHEREAS**, Manatee County, Florida, has made an effort to acquire certain property interests along or within the planned corridor of the 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East by purchase from the owners; and

**WHEREAS**, the Board of County Commissioners has heretofore authorized the institution of eminent domain proceedings to acquire said property, as described and set out in Resolution R-11-051; and

**WHEREAS**, the Board of County Commissioners wishes to utilize “quick taking” condemnation proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA**, as follows that:

1. Manatee County is authorized to utilize “quick taking” eminent domain proceedings under Chapter 74, Florida Statutes, and all other applicable statutes, and that the Board of County Commissioners declares its intention to utilize such proceedings to acquire the necessary interest in the property hereinafter described.

2. Manatee County cannot proceed with the necessary improvements to 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East until it acquires title to the hereinafter-described property.

3. Delay in acquiring the necessary interest and the resultant delay in construction will adversely affect the project.


4. Manatee County will diligently pursue and prosecute the eminent domain proceedings.

5. The property to be taken is more particularly described in the Schedule which is attached hereto and made a part hereof.

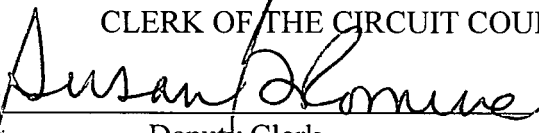
6. This Resolution shall take effect immediately upon its passage.

**ADOPTED** with a quorum present and voting this 22<sup>nd</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

By:   
Chairman

ATTEST: R. B. SHORE  
CLERK OF THE CIRCUIT COURT

By:   
Deputy Clerk



# Description and Sketch

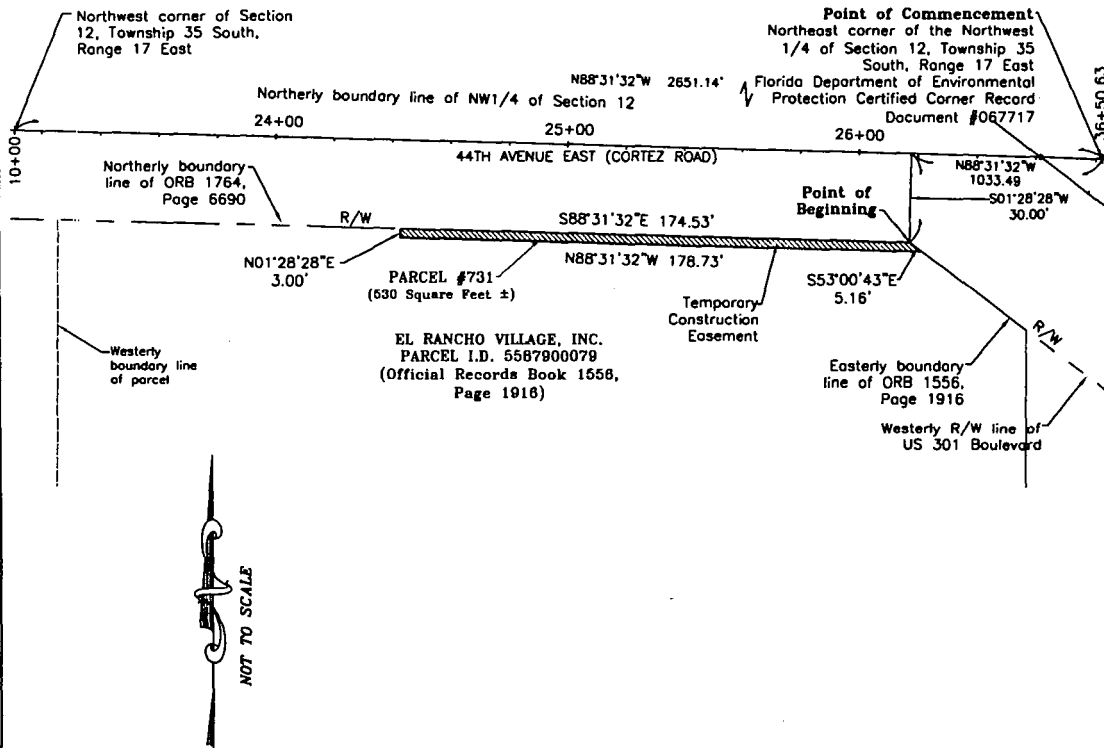
(NOT A SURVEY)

**DESCRIPTION: PARCEL #731**

A portion of the parcel described in Official Records Book 1556, Page 1916 of the Public Records of Manatee County, Florida being more specifically described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East, Manatee County, Florida; thence N88°31'32"W, 1033.49 feet along the northerly boundary line of said Northwest 1/4; thence S01°28'28"W, 30.00 feet to the northerly boundary line of said parcel for a POINT OF BEGINNING; thence S53°00'43"E, 5.16 along the easterly boundary line of said parcel, also being the westerly right-of-way line of U.S. 301 Boulevard; thence N88°31'32"W, 178.73 feet; thence N01°28'28"E, 3.00 feet to the northerly boundary line of said parcel; thence S88°31'32"E, 174.53 feet along said northerly boundary line to the POINT OF BEGINNING.

Containing 530 Square Feet more or less.



## SCHEDULE 1

**Notes:**

1. This description and sketch does not certify or warranty: title, zoning, easements, or freedom of encumbrances.
2. Not valid without the signature and original raised seal of a Florida licensed surveyor & mapper. This is not a survey.
3. The basis of bearing is the northerly line of the Northwest 1/4 of Section 12, Township 35 South, Range 17 East (NAD83/90 Florida West Zone State Plane Coordinate System) S88°31'32"E.

**REVISIONS:**

Todd E. Boyle, RSM  
 FLORIDA REGISTERED SURVEYOR & MAPPER, 6647

**TEMPORARY  
 CONSTRUCTION EASEMENT  
 PARCEL #731  
 3 YEAR TERM LIMIT  
 PROJECT# 3346001060**

LEGEND	
FCM	= FOUND CONCRETE MONUMENT (4"X4")
FIRC	= FOUND CAPPED IRON ROD
I.D.	= IDENTIFICATION
LB	= LICENSED BUSINESS
NDF	= NAIL AND DISK FOUND (ID NOTED)
ORB	= OFFICIAL RECORDS BOOK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
RSM	= REGISTERED SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
Sec	= SECTION

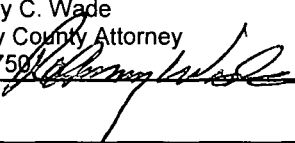
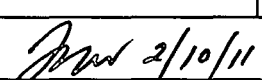
Drawn By: TRC
Checked By: TEB
Scale: NOT TO SCALE
DWG.: Parcel 731
Sheet: 1 OF 1
Section 12, Township 35 South, Range 17 East

MANATEE COUNTY  
PROPERTY MANAGEMENT  
SURVEY DIVISION

1112 MANATEE AVENUE WEST  
BROOKHOLM, FLORIDA, 34605  
(813) 748-5501



**MANATEE COUNTY GOVERNMENT**  
**AGENDA MEMORANDUM**

<b>SUBJECT</b>	Authorization to commence and to prosecute eminent domain proceedings regarding the proposed improvements to 44 <sup>th</sup> Avenue East (US 41/1 <sup>st</sup> Street East to 15 <sup>th</sup> Street East), Parcels 102, 103, 106A, 106B, 706, 107, 127, 827, 129, 130, 730, and 731	<b>TYPE AGENDA ITEM</b>	Consent
<b>DATE REQUESTED</b>	February 22, 2011	<b>DATE SUBMITTED/REVISED</b>	February 10, 2011
<b>BRIEFINGS? Who?</b>	None	<b>CONSEQUENCES IF DEFERRED</b>	Property necessary for 44 <sup>th</sup> Avenue East, Bradenton, Florida, right-of-way project will not be acquired by the County thus delaying or compromising the project.
<b>DEPARTMENT/DIVISION</b>	County Attorney's Office	<b>AUTHORIZED BY TITLE</b>	Tedd N. Williams, Jr. County Attorney
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Rodney C. Wade/Sandi Murphy Ext. 3750	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Rodney C. Wade Deputy County Attorney Ext. 3750 
<b>ADMINISTRATIVE APPROVAL</b>		 2/10/11	

**ACTION DESIRED**  
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

**FORM OF MOTIONS:**

- Adoption of Resolutions R-11-037, R-11-039, R-11-041, R-11-043, R-11-045, R-11-047, R-11-049, and R-11-051, determining public purpose and necessity for the acquisition of certain parcels of privately owned realty, as related to the proposed improvements to 44<sup>th</sup> Avenue East Road Improvement Project from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East.
- Adoption of Resolutions R-11-038, R-11-040, R-11-042, R-11-044, R-11-046, R-11-048, R-11-050, and R-11-052, authorizing the use of eminent domain "quick take" proceedings in the acquisition of certain parcels of privately owned realty, as related to the proposed improvements to 44<sup>th</sup> Avenue East Road Improvement Project from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East.

**ENABLING/REGULATING AUTHORITY**

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

Chapters 73, 74, and 127, Florida Statutes

**BACKGROUND/DISCUSSION**

Manatee County proposes to improve 44<sup>th</sup> Avenue East from US 41/1<sup>st</sup> Street East to 15<sup>th</sup> Street East. This project is a CIP-approved project.

The County has previously notified all the fee owners and business owners of their rights and obligations pursuant to Florida Statutes § 73.015. The time period by which the County must wait in order to file suit has expired. The Property Acquisition Division has requested the County Attorney's Office to commence and prosecute eminent domain proceedings in order to acquire the remaining necessary interests.

The various owners of the lands to be acquired are as follows:

**APPROVED IN OPEN SESSION**

FEB 22 2011

<u>PARCELS</u>	<u>OWNERS</u>	<u>INTEREST TO BE ACQUIRED</u>	<u>APPRAISED VALUE</u>
102	Courchesne, Joyce N.	Fee Simple Title	\$1,900.00
103	Courchesne, Joyce	Fee Simple Title	\$15,700.00
106A	Lasater, Archie T. Lasater, Marjorie J.	Fee Simple Title	\$3,450.00
106B	Lasater, Archie T. Lasater, Marjorie J.	Fee Simple Title	\$20,000.00
706	Lasater, Archie T. Lasater, Marjorie J.	Temporary Construction Easement for a period of three (3) years	\$6,450.00
107	Citrus Grove Home Owners Association, Inc.	Fee Simple Title	\$17,600.00
127	NHC-FL119, LLC	Fee Simple Title	\$12,500.00
827	NHC-FL119, LLC	Permanent Easement	\$33,500.00
129	Sheila D. Leach, as Trustee of the Sheila D. Leach Trust U/A dated May 6, 2002	Fee Simple Title	\$20,900.00
130	Sheila D. Leach, as Trustee of the Sheila D. Leach Trust U/A dated May 6, 2002	Fee Simple Title	\$32,300.00
730	Sheila D. Leach, as Trustee of the Sheila D. Leach Trust U/A dated May 6, 2002	Temporary Construction Easement for a period of three (3) years	\$650.00
731	El Rancho Village, Inc.	Temporary Construction Easement for a period of three (3) years	\$100.00
<b>TOTAL</b>			<b>\$165,050.00</b>

COUNTY ATTORNEY REVIEW	
Check appropriate box	
<input type="checkbox"/>	<b>REVIEWED</b> Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials:     )
<input type="checkbox"/>	<b>NOT REVIEWED (No apparent legal issues.)</b>
<input type="checkbox"/>	<b>NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)</b>
<input checked="" type="checkbox"/>	<b>OTHER</b> This is a County Attorney item.

<b>ATTACHMENTS:</b> (List in order as attached)		<b>INSTRUCTIONS TO BOARD RECORDS:</b> 2/23/11 <i>gc</i>	
1. Aerial Maps 2. Proposed Resolutions R-11-037 through R-11-052, each with the attached legal descriptions/sketches.		Clerk's certification requested on front side of last page of each Resolution, with attachments. Forward three (3) certified copies of each Resolution, with attachments, to Deputy County Attorney, Rodney C. Wade. Forward one (1) approved copy of this Agenda Memo to Deputy County Attorney, Rodney C. Wade (rodney.wade@mymanatee.org).	
<b>COST:</b>	The eventual cost to Manatee County of condemning this land is unknown.	<b>SOURCE (ACCT # &amp; NAME):</b>	334-6001060 Road Impact Fees
<b>COMMENTS:</b>		<b>AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)</b>	

- cc: Ron Schulhofer, Director, Public Works Department  
 Sia Mollanazar, P.E., Deputy Director, Engineering Services  
 Bruce Simington, Manager, Project Management Division  
 Steve Serbaty, Project Manager, Project Management Division  
 Charlie H. Bishop, PMP, Director, Property Management Department  
 Joaquin Servia, Manager, Property Acquisition Division  
 Barbara Carter, SRWA, Real Property Supervisor, Property Acquisition Division

**APPROVED IN OPEN SESSION**  
**FEB 22 2011**  
**BOARD OF COUNTY COMMISSIONERS**  
**MANATEE COUNTY, FLORIDA**



44TH AVE EAST  
 1ST STREET TO 12TH STREET COURT EAST

SHEET 1 of 2  
 01/26/2011







44TH AVE EAST  
 1ST STREET TO 12TH STREET COURT EAST

