

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



PROJECT #0019900/5001803  
ID #75771.0000/6

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

**PEDESTRIAN SIDEWALK EASEMENT**

**THIS INDENTURE**, made this 27<sup>th</sup> day of JANUARY, 2011, between **MANATEE FRUIT COMPANY**, a Corporation organized and existing under the laws of the State of **Florida** whose mailing address is: **P.O. Box 128, Palmetto, Florida 34220**, as Grantor, and **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, as Grantee,

**WITNESSETH**

That said Grantor, for and in consideration of the sum of \$1.00 and other valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred and by these presents does grant, bargain, sell and transfer unto said Grantee, *an easement for construction, maintenance and use of a pedestrian sidewalk* across the following described property situate in the County of Manatee, State of Florida, more particularly described as follows:

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

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

Grantee will indemnify and hold Grantor, its agents, personal representatives, heirs, beneficiaries, successors, and assigns harmless from and against any and all costs, damages, claims, actions, or causes of action, whatsoever, arising from or out of any damage, loss, or injury to persons or property on, in, or from the construction, operation, and maintenance of the facilities contemplated hereby to the extent limited under Section 768.28, Florida Statutes. However, nothing in this paragraph requires Grantee to indemnify Grantor for any damage, loss, or injury caused by the negligent acts of Grantor.

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

(CORPORATE SEAL)

Signed, sealed, and delivered in the presence of:

[Signature]  
Witness Signature  
Ruth Schofield  
Printed Name

[Signature]  
Witness Signature  
Krystal Parsons  
Printed Name

**MANATEE FRUIT COMPANY**  
Corporation  
BY: [Signature]  
President Signature  
Whiting Preston  
Printed Name  
ATTEST: [Signature]  
Secretary Signature  
WALTER L. PRESTON,  
Printed Name

(Signature of two witnesses or secretary required by law)

STATE OF FLORIDA  
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of JANUARY, 2011, by Whiting Preston, President (name and title of agent) of **MANATEE FRUIT COMPANY**, a Florida corporation, on behalf of the corporation, who is personally known to me or has produced as identification.

**ACCEPTED IN OPEN SESSION**

**FEB 22 2011**

**BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA**

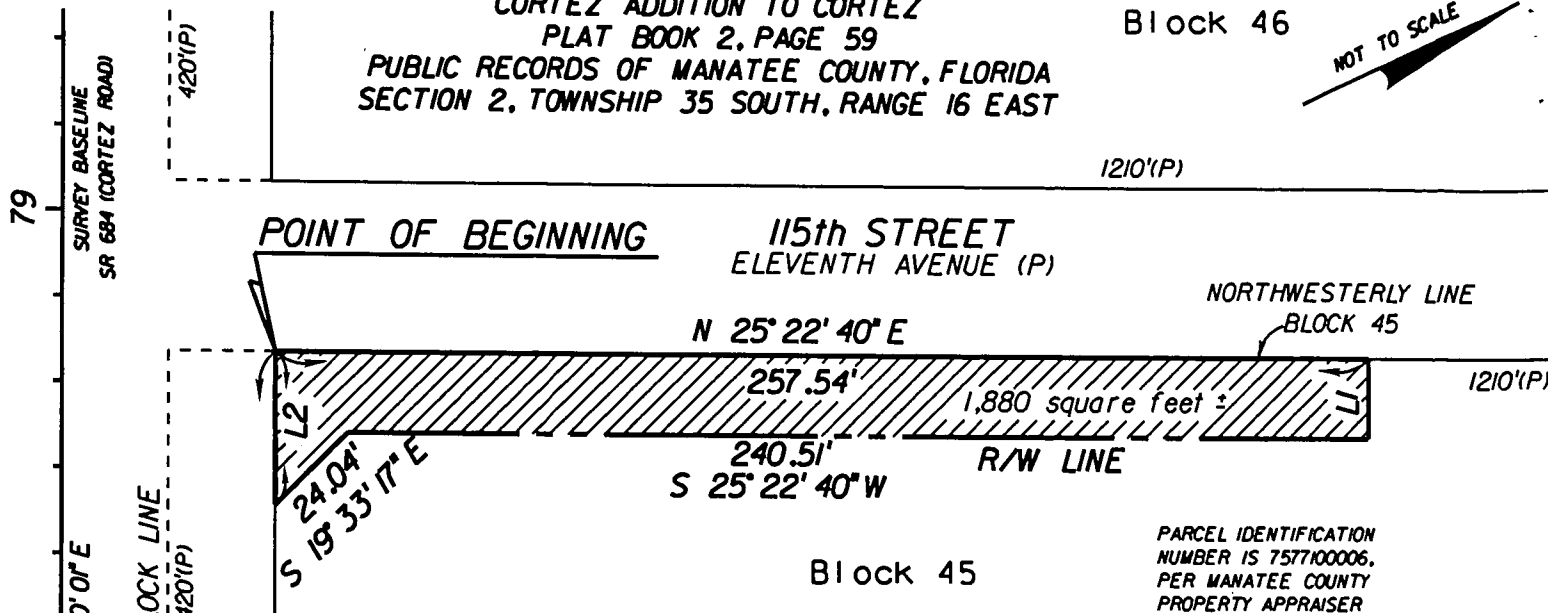
NOTARY PUBLIC Signature [Signature]  
Commission # DD 971340  
Expires April 28, 2014  
Printed Name RUTH SCHOFIELD  
Bonded Thru Troy Fain Insurance 800-385-7619

A PORTION OF BLOCK 45 OF AMENDED PLAT OF  
CORTEZ ADDITION TO CORTEZ  
PLAT BOOK 2, PAGE 59  
PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA  
SECTION 2, TOWNSHIP 35 SOUTH, RANGE 16 EAST

Block 46

NOT TO SCALE

This legal description and sketch  
is incomplete without the signed  
and sealed legal description.



PARCEL IDENTIFICATION  
NUMBER IS 7577100006,  
PER MANATEE COUNTY  
PROPERTY APPRAISER

LINE	DISTANCE	BEARING
L1	6.74'	S 64° 37' 20" E
L2	23.71'	N 64° 40' 01" W

LEGEND

- (P) PLAT
- R/W RIGHT OF WAY
- R RADIUS
- L LENGTH
- CD CHORD DISTANCE
- CB CHORD BEARING
- Δ CENTRAL ANGLE
- NTS NOT TO SCALE
- N/A NOT APPLICABLE
- SEC SECTION
- SR STATE ROAD
- COR CORNER
- STA STATION
- ORB OFFICIAL RECORDS BOOK
- PB PLAT BOOK
- PG PAGE

Curve C1  
 $\Delta = 11^{\circ}43'31''$   
 LENGTH = 380.61'  
 RADIUS = 1859.86'  
 CHORD DISTANCE = 379.94'  
 CHORD BEARING = N 70° 31' 46" W

EXHIBIT "A"

REV LOT TO BLOCK	MAO	7/8/10		
REVISION	BY	DATE		
CHECKED	DRAWN	BY		
M QUINN	M QUINN	M QUINN		
06/17/10	06/16/10	06/17/10		
Project Number: 0019900 115th STREET SIDEWALK				
SHEET 1 OF 2				

**MANATEE COUNTY PUBLIC WORKS**

**PARCEL SKETCH - NOT A SURVEY**

PREPARED BY:  
  
 3802 EHRLICH ROAD, SUITE 306  
 TAMPA, FL 33624  
 813-549-3740

**LEGAL DESCRIPTION: RIGHT OF WAY**

**EXHIBIT "A"**

A portion of Block 45 of Amended Plat of Cortez Addition to Cortez per Plat Book 2, Page 59, Public Records of Manatee County Florida, Section 2, Township 35 South, Range 16 East, Manatee County, Florida.

Being described as follows:

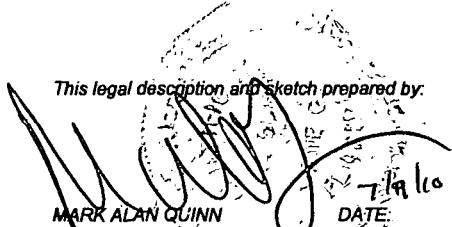
COMMENCE at the Southeast corner of said Section 2; thence North 00°33'23" East along the Easterly line of said Section 2 a distance of 97.88 feet to a point on the Northerly right of way line of State Road 684, (Cortez Road), (per State Project 13040-2525) and a point of Intersection with a non-tangent curve concave to the Northeast and having a radius of 1859.86 feet; thence along the arc of said curve through a central angle of 11°43'31" for a distance of 380.61 feet, said curve having a chord bearing and distance of North 70°31'46" West, 379.94 feet; thence North 64°40'01" West along the Northerly right of way line of said State Road 684 a distance of 4063.25 feet to a point on the Northwest line of said Block 45 and the POINT OF BEGINNING; thence North 25°22'40" East along the Northwesterly line of said Block 45 a distance of 257.54 feet; thence South 64°37'20" East a distance of 6.74 feet; thence South 25°22'40" West a distance of 240.51 feet; thence South 19°33'17" East a distance of 24.04 feet to a point on the Northerly right of way line of said State Road 684; thence North 64°40'01" West along the Northwesterly line of said State Road 684 a distance of 23.71 feet to the POINT OF BEGINNING.

Containing 1,880 square feet, more or less.



**NOTES:**

1. BEARINGS ARE BASED ON EAST LINE OF SECTION 2, TOWNSHIP 35 SOUTH, RANGE 16 EAST AS BEING NORTH 00°33'23" EAST.
2. ALIGNMENT AND RIGHT OF WAY FOR STATE ROAD 684, (CORTEZ ROAD) ARE REFERENCED TO STATE PROJECT 13040-2525.
3. SECTIONAL INFORMATION IS REFERENCED TO STATE PROJECT 13040-2525.
4. BOUNDARY INFORMATION FOR AMENDED PLAT OF CORTEZ ADDITION TO CORTEZ IS REFERENCED TO STATE PROJECT 13040-2525 COMBINED WITH FOUND MONUMENTATION.
4. RIGHT OF WAY WIDTH FOR 115TH STREET, (ELEVENTH AVENUE), IS NOT LISTED ON THE PLAT OF RECORD.
5. SKETCH ONLY, NOT A SURVEY.

This legal description and sketch prepared by:



MARK ALAN QUINN DATE: 7/9/10  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA  
 LICENSE NUMBER: LS 5850  
 Note: Not Valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

			 <b>MANATEE COUNTY PUBLIC WORKS</b>			PREPARED BY:  <b>MKIM &amp; CREED</b> 3802 EHRLICH ROAD, SUITE 306 TAMPA, FL 33624 813-549-3740		
<b>PARCEL SKETCH - NOT A SURVEY</b>								
			BY			DATE		
REV LOT TO BLOCK	MAO	7/8/10	DRAWN	M QUINN	06/16/10			
REVISION	BY	DATE	CHECKED	M QUINN	06/17/10	Project Number: 0019900 115th STREET SIDEWALK		SHEET 2 OF 2

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

INVOICE

MAN CO PROJECT MGT  
ATTN: QUANTANA, BOARD RECORDS

RECEIPT  
#1 of #1

001.133000

AR PAYOR: AR300026 GOMC Book# 2370 Page# 4559  
DOC TYPE: EAS CALC AMOUNT: \$0.00  
PAGES: 3 FILE# 002893555  
Receipt: 490070681 2/24/11 2:51PM

By: FGERNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEE\$
R	RECORDING TRUST	199	000000341150	0	2.00
R	RECORDING FEES	001	000000341100	0	13.00
R	CLERK CT TECH FUND	199	000000341160	0	5.70
R	FL ASSOC COURT CLERK	001	000000208911	0	0.30
R	BD OF COUNTY COMM	001	000000208912	0	6.00



RECEIPT TOTAL: \$27.00  
GRAND TOTAL: \$27.00

Receipt#  
490070681 thru 490070681

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

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

Project # 0019900/5001803  
ID #75771.0000/6



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

**AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES**

STATE OF FLORIDA  
COUNTY OF MANATEE

**BEFORE ME**, the undersigned authority, this day personally appeared Whiting Preston of **MANATEE FRUIT COMPANY** whose mailing address is P.O. Box 128, Palmetto, Florida 34220, who being first duly sworn, deposes and says:

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

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

2. That the Owner plans to convey an easement over the Property to the **COUNTY OF MANATEE** whose principal office is at 1112 Manatee Avenue West, Post Office Box 1000, Bradenton, Florida 34206 (hereinafter "Grantee").

3. To the best of my knowledge, the only mortgages, liens, encumbrances, including but not limited to any leasehold interest or potential claims against the Property are:

**NONE**

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

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

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

(Corporate Seal)

**MANATEE FRUIT COMPANY**

By: [Signature]  
President  
Whiting Preston  
Printed Name

**SWORN** to (or affirmed) and subscribed before me this 27<sup>th</sup> day of January, 2011, by Whiting Preston (name and title of agent) of **MANATEE FRUIT COMPANY**, a Florida corporation, on behalf of the corporation, who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
NOTAR PUBLIC  
RUTH SCHOFIELD  
Commission # DD 971340  
Expires April 28, 2014  
Bonded thru Troy Fair Insurance 800-385-7019  
Printed Name

A PORTION OF BLOCK 45 OF AMENDED PLAT OF  
CORTEZ ADDITION TO CORTEZ  
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REVISION	BY	DATE	

CHECKED	M QUINN	DATE	06/17/10
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MANATEE COUNTY  
PUBLIC WORKS

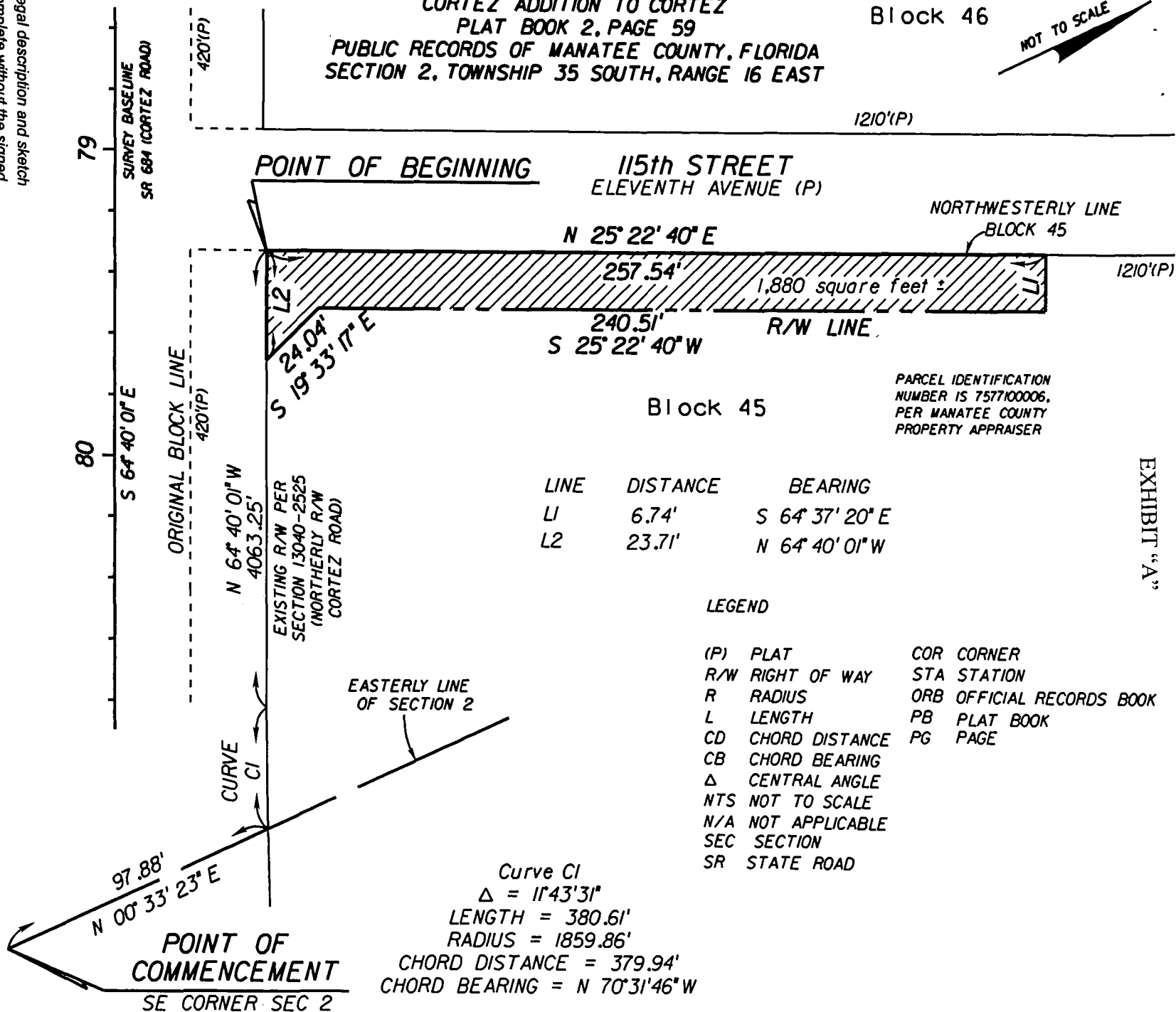
PARCEL SKETCH - NOT A SURVEY

PREPARED BY:



3802 EHRLICH ROAD, SUITE 306  
TAMPA, FL 33624  
813-546-3740

Project Number: 0019900	115th STREET SIDEWALK	SHEET 1 OF 2
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PARCEL IDENTIFICATION  
NUMBER IS 7577100006,  
PER MANATEE COUNTY  
PROPERTY APPRAISER

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(P)	PLAT	COR	CORNER
R/W	RIGHT OF WAY	STA	STATION
R	RADIUS	ORB	OFFICIAL RECORDS BOOK
L	LENGTH	PB	PLAT BOOK
CD	CHORD DISTANCE	PG	PAGE
CB	CHORD BEARING		
Δ	CENTRAL ANGLE		
NTS	NOT TO SCALE		
N/A	NOT APPLICABLE		
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This legal description and sketch prepared by:



MARK ALAN QUINN, DATE: 7/16/10  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA  
 LICENSE NUMBER LS 5850

Note: Not Valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

			 <b>MANATEE COUNTY PUBLIC WORKS</b>		PREPARED BY:  <b>MKIM &amp; CREED</b> 3802 EHRLICH ROAD, SUITE 306 TAMPA, FL 33624 813-549-3740	
<b>PARCEL SKETCH - NOT A SURVEY</b>						
			BY	DATE		
REV LOT TO BLOCK	MAO	7/8/10	DRAWN	M QUINN	06/16/10	
REVISION	BY	DATE	CHECKED	M QUINN	06/17/10	
Project Number: 0019900 115th STREET SIDEWALK						SHEET 2 OF 2

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

INVOICE

MAN CO PROJECT MGT  
ATTN: QUANTANA, BOARD RECORDS

RECEIPT  
#1 of #1

001.133000

AR PAYOR: AR300026 GOMC Book# 2370 Page# 4555  
DOC TYPE: AFF CALC AMOUNT: \$0.00  
PAGES: 3 FILE# 002893553  
Receipt: 490070680 2/24/11 2:49PM

By: FGERNNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEE
R	RECORDING TRUST	199	000000341150	0	2.00
R	RECORDING FEES	001	000000341100	0	13.00
R	CLERK CT TECH FUND	199	000000341160	0	5.70
R	FL ASSOC COURT CLERK	001	000000208911	0	0.30
R	BD OF COUNTY COMM	001	000000208912	0	6.00



RECEIPT TOTAL: \$27.00  
GRAND TOTAL: \$27.00

Receipt#  
490070680 thru 490070680

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



**MANATEE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

<b>SUBJECT</b>	Countywide Sidewalks - 115 <sup>th</sup> Street West Easement Acquisition	<b>TYPE AGENDA ITEM</b>	Consent
<b>DATE REQUESTED</b>	February 22, 2011	<b>DATE SUBMITTED/REVISED</b>	February 8, 2011
<b>BRIEFINGS? Who?</b>	N/A	<b>CONSEQUENCES IF DEFERRED</b>	N/A
<b>DEPARTMENT/DIVISION</b>	Property Management Property Acquisition	<b>AUTHORIZED BY TITLE</b>	Charlie H. Bishop, Director, Property Management <i>dl</i>
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Bill Pearce / 6281	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Joaquin Servia, Division Manager Property Acquisition / Extension 3021 <i>J.S.</i>
<b>ADMINISTRATIVE APPROVAL</b>		<i>Paul S</i>	
<b>ACTION DESIRED</b> INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED			
Acceptance of, authorization to record, a Pedestrian Sidewalk Easement from Manatee Fruit Company for construction and maintenance of a sidewalk along the front of their property on 115 <sup>th</sup> Street West in Bradenton. Authorization to record, Affidavit of Ownership and Encumbrances from Manatee Fruit Company.			
<b>ENABLING/REGULATING AUTHORITY</b> Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy			
Comp plan: - Goal 5.3 addresses bikeway and pedestrian systems.			
<b>BACKGROUND/DISCUSSION</b>			
<ul style="list-style-type: none"> <li>• The County Sidewalks - 115<sup>th</sup> Street West project was financed from Local Option 4 Cents Maintenance Projects.</li> <li>• The proposed sidewalk will run along the east side of 115<sup>th</sup> Street West from Cortez Road north to 40<sup>th</sup> Avenue West.</li> <li>• The owner conveyed 1,880 square feet of its' land as a Pedestrian Sidewalk Easement by donation.</li> <li>• The aforementioned documents are hereby presented to the BCC for acceptance and recording.</li> </ul>			
<b>COUNTY ATTORNEY REVIEW</b>			
<b>Check appropriate box</b>	<p align="right"><b>APPROVED IN OPEN SESSION</b> <b>FEB 28 2011</b> <b>BOARD OF COUNTY COMMISSIONERS</b> <b>MANATEE COUNTY, FLORIDA</b></p>		
<input type="checkbox"/>	<b>REVIEWED</b>		
	<b>Written Comments:</b> <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 checked="" type="checkbox"/>	<b>NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)</b>		
<input type="checkbox"/>	<b>OTHER</b>		
<b>ATTACHMENTS: (List in order as attached)</b>		<b>INSTRUCTIONS TO BOARD RECORDS:</b>	
1) Pedestrian Sidewalk Easement 2) Affidavit 3) Location Map		Please notify Bill Pearce, Property Management Department, at extension 6281 for recording information. CCC Charge Account #AR300026; Project Management	
<b>COST:</b>	\$ 54 Recording Fees	<b>SOURCE (ACCT # &amp; NAME):</b>	167-0019900/500803-0003 County Sidewalks - 115 <sup>th</sup> Street West Fund Source: Local Option 4 Cents Maintenance Projects
<b>COMMENTS:</b>	N/A	<b>AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)</b>	N/A

**Bradenton**

Edgewater Cir

**Manatee Fruit Company  
10704 40<sup>th</sup> Avenue West  
ID#75771.0000/6**

Alhambra Dr

18th Ave W

Val Verde

22nd Ave W

24th Ave W

2nd St N

**Bradenton Beach**

Ave W

45th Ave W

47th Ave W

49th Ave W

51st Ave W

53rd Ave W

55th Ave W

57th Ave W

59th Ave W

61st Ave W

63rd Ave W

65th Ave W

67th Ave W

69th Ave W

71st Ave W

73rd Ave W

75th Ave W

77th Ave W

79th Ave W

81st Ave W

83rd Ave W

85th Ave W

87th Ave W

89th Ave W

30th Ave W

32nd Ave W

34th Ave W

36th Ave W

38th Ave W

40th Ave W

42nd Ave W

44th Ave W

46th Ave W

48th Ave W

50th Ave W

52nd Ave W

54th Ave W

56th Ave W

58th Ave W

60th Ave W

62nd Ave W

64th Ave W

66th Ave W

68th Ave W

70th Ave W

Bamboo Trl

21st Ave W

23rd Ave W

25th Ave W

27th Ave W

29th Ave W

31st Ave W

33rd Ave W

35th Ave W

37th Ave W

39th Ave W

41st Ave W

43rd Ave W

45th Ave W

47th Ave W

49th Ave W

51st Ave W

53rd Ave W

55th Ave W

57th Ave W

59th Ave W

61st Ave W

63rd Ave W

Kingston Rd

894

**Project No. 0019900/5001803  
Pedestrian Sidewalk Easement  
115 Street West  
(Cortez Rd north to 40 Av W)**

**DISTRICT 3  
COMMISSIONER  
John Chappie**



**Longboat Key**

**From:** Quantana Acevedo  
**Sent:** Wednesday, March 09, 2011 1:07 PM  
**To:** 'bill.pearce@mymanatee.org'  
**Subject:** 115th Street West - Countywide Sidewalks  
**Attachments:** BC20110222DOCA25.PDF

Book 2370, Pages 4555 and 4559

Quantana Acevedo  
Board Records  
For R.B. "Chips" Shore  
Manatee County Clerk of the Circuit Court and Comptroller  
[www.manateeclerk.com](http://www.manateeclerk.com)  
[quantana.acevedo@manateeclerk.com](mailto:quantana.acevedo@manateeclerk.com)  
941-749-1800 ext. 4183  
"Pride in Service with a Vision to the Future"