

# MANATEE COUNTY GOVERNMENT

## AGENDA MEMORANDUM

<b>SUBJECT</b>	Wares Creek Stormwater Improvement Project – Parcel E128	<b>TYPE AGENDA ITEM</b>	Consent
<b>DATE REQUESTED</b>	July 26, 2011	<b>DATE SUBMITTED/REVISED</b>	July 14, 2011
<b>BRIEFINGS? Who?</b>	N/A	<b>CONSEQUENCES IF DEFERRED</b>	N/A
<b>DEPARTMENT/DIVISION</b>	Property Management/Property Acquisition Division	<b>AUTHORIZED BY TITLE</b>	Charlie Bishop, Director, Property Management Department <i>CB</i>
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Barbara Carter/Extension 3009	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Joaquin Servia, Manager, Property Acquisition, Extension 3021 <i>J. Servia</i>
<b>ADMINISTRATIVE APPROVAL</b>		<i>H. Hudson</i>	

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

Acceptance of, authorization to record, a Warranty Deed and an Access and Maintenance Easement from Benjamin Shives and Lisa Shives required for the Wares Creek Stormwater Improvement Project.

Authorization to record Affidavit of Ownership and Encumbrances from Benjamin Shives and Lisa Shives.

Authorization to record Disclaimer from Stephanie S. River and Christina B. Faulk, tenants.

Authorization to record Partial Release of the fee acquisition and Consent to the easement from Wells Fargo Bank, N.A.

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

Comp Plan - Goal 11.3 - Reduces flooding and improves surface water quality.

**BACKGROUND/DISCUSSION**

- The original Wares Creek project was approved in the FY 1990-FY 1995 CIP, with funding scheduled to begin in FY 1995. The first costs associated with the project were for cost sharing with the Army Corp of Engineers for a study of the Wares Creek project. In later CIPs, funding was scheduled for design costs and limited land acquisition costs.
- The subject property is located at 1705 18<sup>th</sup> Avenue West and is improved with a 3-bedroom single family residence which benefits from a buffer provided by Ware's Creek on its west border.
- On June 7, 2011, the BCC executed the contract for the purchase of the required fee and easement acquisitions in the amount of \$113,650, inclusive of attorney fees and costs.
- Conveyance documents are hereby presented to the BCC for acceptance and recording.

**APPROVED IN OPEN SESSION**  
JUL 26 2011  
BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA

COUNTY ATTORNEY REVIEW	
<b>Check appropriate box</b>	
<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 checked="" type="checkbox"/>	<b>NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)</b>
<input type="checkbox"/>	<b>OTHER</b>

<b>ATTACHMENTS:</b> (List in order as attached)		<b>INSTRUCTIONS TO BOARD RECORDS:</b>	
1) Warranty Deed 2) Easement 3) Affidavit 4) Disclaimer 5) Partial Release 6) Consent 7) Location Map		Please notify Barbara Cater of Property Acquisition and Sandra Murphy, CAO of recording information. CCC Charge Account #AR 300026 Project Management  <i>mr 8/2/11</i>	
<b>COST:</b>	\$238.50 (Recording Fee)	<b>SOURCE (ACCT # &amp; NAME):</b>	465-6028801-561000-6028801-0003 Stormwater Capital Improvement/Wares Creek Stormwater Improvement Project
<b>COMMENTS:</b>	N/A	<b>AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)</b>	N/A

Warranty Deed Individual

Return to:  
Name:  
Address:

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



PROJECT #465-6028801  
PARCEL # E-128.1  
D.P. # 4446600001

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

**THIS WARRANTY DEED** made the 7th day of July A.D. 2011 by **Benjamin Shives and Lisa Shives, husband and wife**, hereinafter called grantor, to the **COUNTY OF MANATEE**, a political subdivision of the state of Florida, whose post office address is P.O. Box 1000, Bradenton, Florida 34206 hereinafter called the grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

**WITNESSETH:** That the grantor, for and in consideration of the sum of \$1.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Manatee County, state of Florida, viz:

**See Exhibit "A" attached hereto.**

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

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD**, the same in fee simple forever.

**AND** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2011.

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

Signed, sealed and delivered in the presence of:

[Signature]  
Witness Signature  
ALYONA DOMINICK

Printed Name  
Tracey B. Starrett

Witness Signature  
Tracey B. Starrett

Printed Name  
ALYONA DOMINICK

Witness Signature  
ALYONA DOMINICK

Printed Name  
Tracey B. Starrett

Witness Signature  
Tracey B. Starrett

Printed Name

[Signature]  
Grantor

**Benjamin Shives**  
4306 Pinfish Lane, Palmetto, FL 34221-5656  
Post Office Address

[Signature]  
Grantor

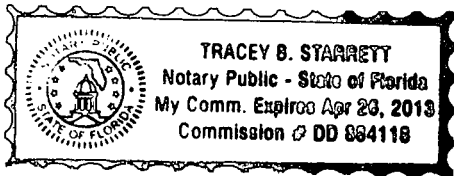
**Lisa Shives**  
4306 Pinfish Lane, Palmetto, FL 34221-5656  
Post Office Address

(Each signature requires two witnesses by law)

STATE OF FLORIDA

COUNTY OF MANATEE

The foregoing Warranty Deed was acknowledged before me this 7th day of July, 2011 by **Benjamin Shives and Lisa Shives, husband and wife**, who are personally known to me or who have produced drivers licenses as identification.

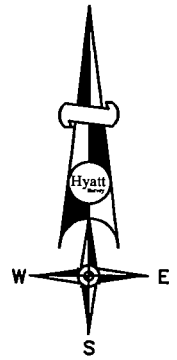


Tracey B. Starrett  
NOTARY PUBLIC Signature

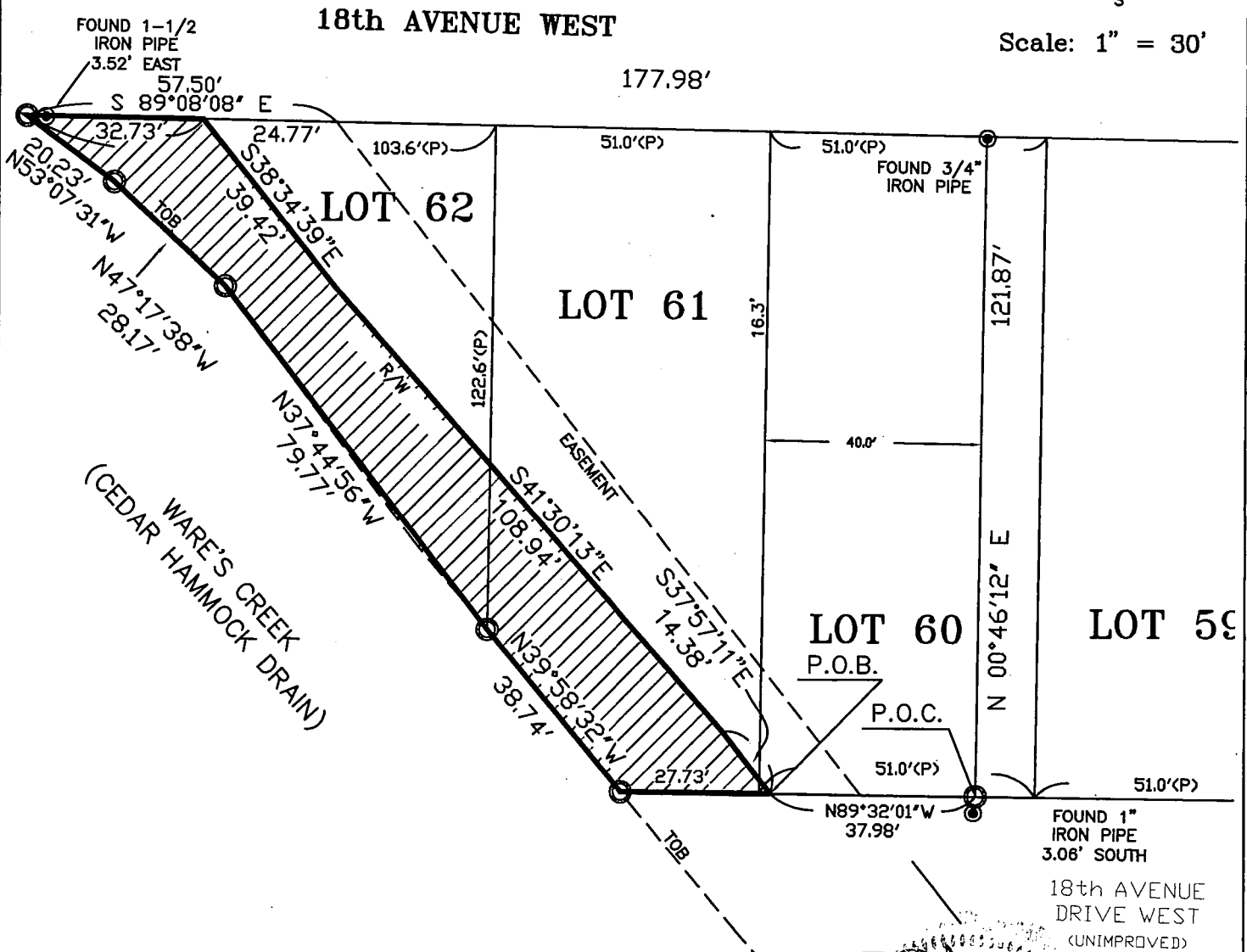
Tracey B. Starrett  
Printed Name

# EXHIBIT A

REVISED: 07/11/06 CHANGED R/W TAKING NUMBER  
 REVISED: 5/24/06 CHANGED R/W LINE R.S.F.  
 REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.  
 REVISED: 1/16/05



Scale: 1" = 30'



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

FOR: MANATEE COUNTY

**RUSSELL P. HYATT, P.S.M.**  
 Florida Surveyor's Reg'n. No. LS 5303  
 NOT VALID WITHOUT THE SIGNATURE AND THE  
 ORIGINAL RAISED SEAL OF A FLORIDA LICENSED  
 SURVEYOR AND MAPPER.

<b>TITLE</b>					<b>Hyatt Survey Services, Inc.</b>			
RIGHT OF WAY TAKING					Geographic Data Specialists			
E-128.1 PARCEL 44466-00001					LB No.: 7203			
STATION 83+26 TO 84+97					11007 8th Avenue East Bradenton, Florida 34212			
					Phone (941) 748-4693 Fax (941) 744-1643			

JOB NUMBER 03-1073	SECTION 35	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 30'	DATE 12/29/04	DRAWN BY PAH	FILE NAME 44466-00001	SHEET 1 OF 2
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# EXHIBIT A

THAT PART OF LOTS 60, 61 AND 62, TAMIAMI PARK SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 125 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 60 FOR A POINT OF COMMENCEMENT; THENCE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOT 60, A DISTANCE OF 37.98 FEET FOR A POINT OF BEGINNING;

THENCE CONTINUE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOTS 60 AND 61, A DISTANCE OF 27.73 FEET TO THE TOP OF BANK OF CEDAR HAMMOCK DRAINAGE CANAL; THENCE NORTHERLY, ALONG SAID TOP OF BANK, THE FOLLOWING FOUR (4) COURSES: N 39°58'32" W, A DISTANCE OF 38.74 FEET; THENCE N 37°44'56" W, A DISTANCE OF 79.77 FEET; THENCE N 47°17'38" W, A DISTANCE OF 28.17 FEET; THENCE N 53°07'31" W, A DISTANCE OF 20.23 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID LOT 62; THENCE S 89°08'08" E, ALONG THE NORTH LINE OF SAID LOT 62, A DISTANCE OF 32.73 FEET; THENCE S 38°34'39" E, A DISTANCE OF 39.42 FEET; THENCE S 41°30'13" E A DISTANCE OF 108.94 FEET; THENCE S 37°57'11" E A DISTANCE OF 14.38 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 60 AND THE POINT OF BEGINNING.

CONTAINING 3120 SQUARE FEET.

REVISED: 07/11/06 CHANGED R/W TAKING NUMBER  
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 REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.  
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FOR: MANATEE COUNTY

**TITLE**

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

INVOICE

MAN CO PROJECT MGT  
ATTN: MAGGIE - BOARD RECORDS

RECEIPT  
#1 of #1

001.133000

WARES CREEK PROJECT

AR PAYOR: AR300026 GOMC Book# 2386 Page# 7765  
DOC TYPE: D CALC AMOUNT: \$0.00

PAGES: 4 FILE# 002938780  
Receipt: 490072988 7/27/11 12:27PM

By: FGERNIS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	2.50
R	RECORDING FEES	001	000000341100	0	17.00
R	CLERK CT TECH FUND	199	000000341160	0	7.60
R	FL ASSOC COURT CLERK	001	000000208911	0	0.40
R	BD OF COUNTY COMM	001	000000208912	0	8.00



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

Receipt#  
490072988 thru 490072988

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

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490072988 thru 490072988

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**Affidavit of Ownership and Encumbrances**

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



**PROJECT # 465-6028801**  
**Parcel # E-128.1 and E-128.2**  
**D.P. # 4446600001**

=====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 **Benjamin Shives and Lisa Shives, husband and wife** whose mailing address is 4306 Pinfish Lane, Palmetto, FL 34221-5656 who being first duly sworn, depose/s and say/s:

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

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

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

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

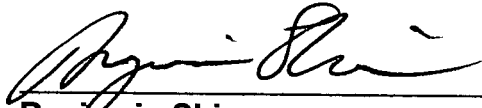
**Wachovia Mortgage, a division of Wells Fargo Bank, N.A., f/k/a World Savings Bank, FSB;**  
**Stephanie S. River and Christina B. Faulk, tenants**

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.

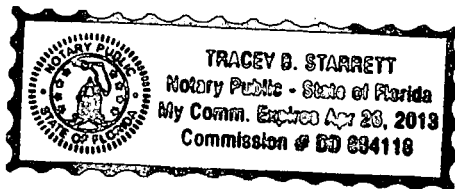


**Benjamin Shives**  
Printed Name



**Lisa Shives**  
Printed Name

**SWORN** to and subscribed before me this 7<sup>th</sup> day of July, 2011 by **Benjamin Shives and Lisa Shives, husband and wife**, who are personally known to me or who have produced drivers licenses as identification.

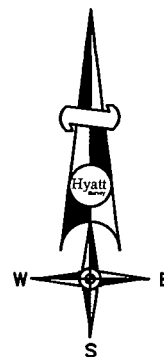


  
NOTARY PUBLIC Signature

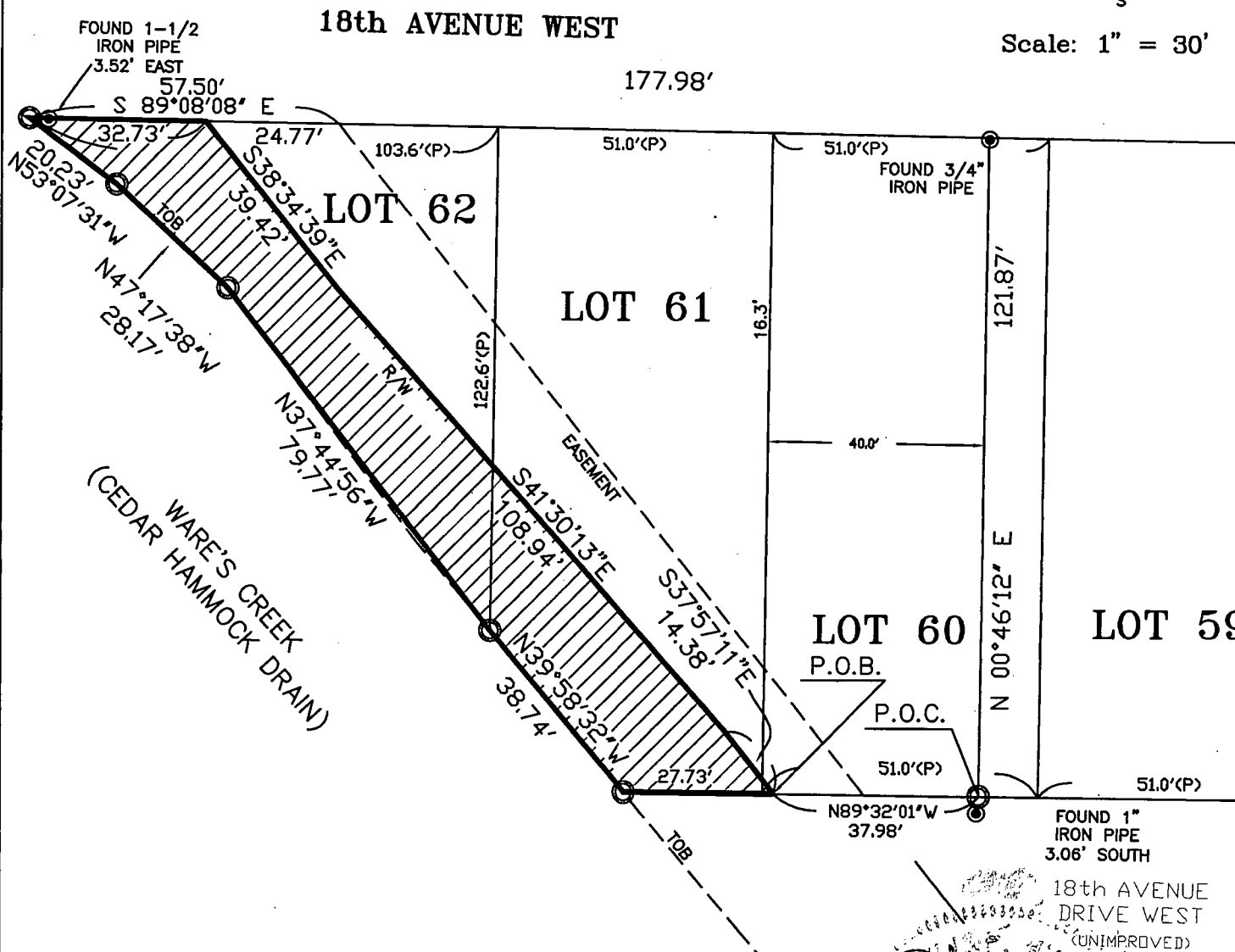
Tracey B. Starrett  
Printed Name

# EXHIBIT A

REVISED: 07/11/06 CHANGED R/W TAKING NUMBER  
 REVISED: 5/24/06 CHANGED R/W LINE R.S.F.  
 REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.  
 REVISED: 1/16/05



Scale: 1" = 30'



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FOR: MANATEE COUNTY

**RUSSELL P. HYATT, P.S.M.**  
 Florida Surveyor's Reg'n. No. LS 5303  
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**TITLE**  
 RIGHT OF WAY TAKING  
 E-128.1 PARCEL 44466-00001  
 STATION 83+26 TO 84+97

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

JOB NUMBER 03-1073	SECTION 35	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 30'	DATE 12/29/04	DRAWN BY PAH	FILE NAME 44466-00001	SHEET 1 OF 2
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THENCE CONTINUE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOTS 60 AND 61, A DISTANCE OF 27.73 FEET TO THE TOP OF BANK OF CEDAR HAMMOCK DRAINAGE CANAL; THENCE NORTHERLY, ALONG SAID TOP OF BANK, THE FOLLOWING FOUR (4) COURSES: N 39°58'32" W, A DISTANCE OF 38.74 FEET; THENCE N 37°44'56" W, A DISTANCE OF 79.77 FEET; THENCE N 47°17'38" W, A DISTANCE OF 28.17 FEET; THENCE N 53°07'31" W, A DISTANCE OF 20.23 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID LOT 62; THENCE S 89°08'08" E, ALONG THE NORTH LINE OF SAID LOT 62, A DISTANCE OF 32.73 FEET; THENCE S 38°34'39" E, A DISTANCE OF 39.42 FEET; THENCE S 41°30'13" E A DISTANCE OF 108.94 FEET; THENCE S 37°57'11" E A DISTANCE OF 14.38 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 60 AND THE POINT OF BEGINNING.

CONTAINING 3120 SQUARE FEET.

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 REVISED: 1/16/05

FOR: MANATEE COUNTY

**TITLE**

**RIGHT OF WAY TAKING**

**E-128.1 PARCEL 44466-00001  
 STATION 83+26 TO 84+97**

**Hyatt Survey Services, Inc.**

LB No.: 7203

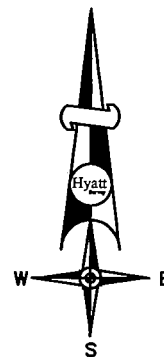
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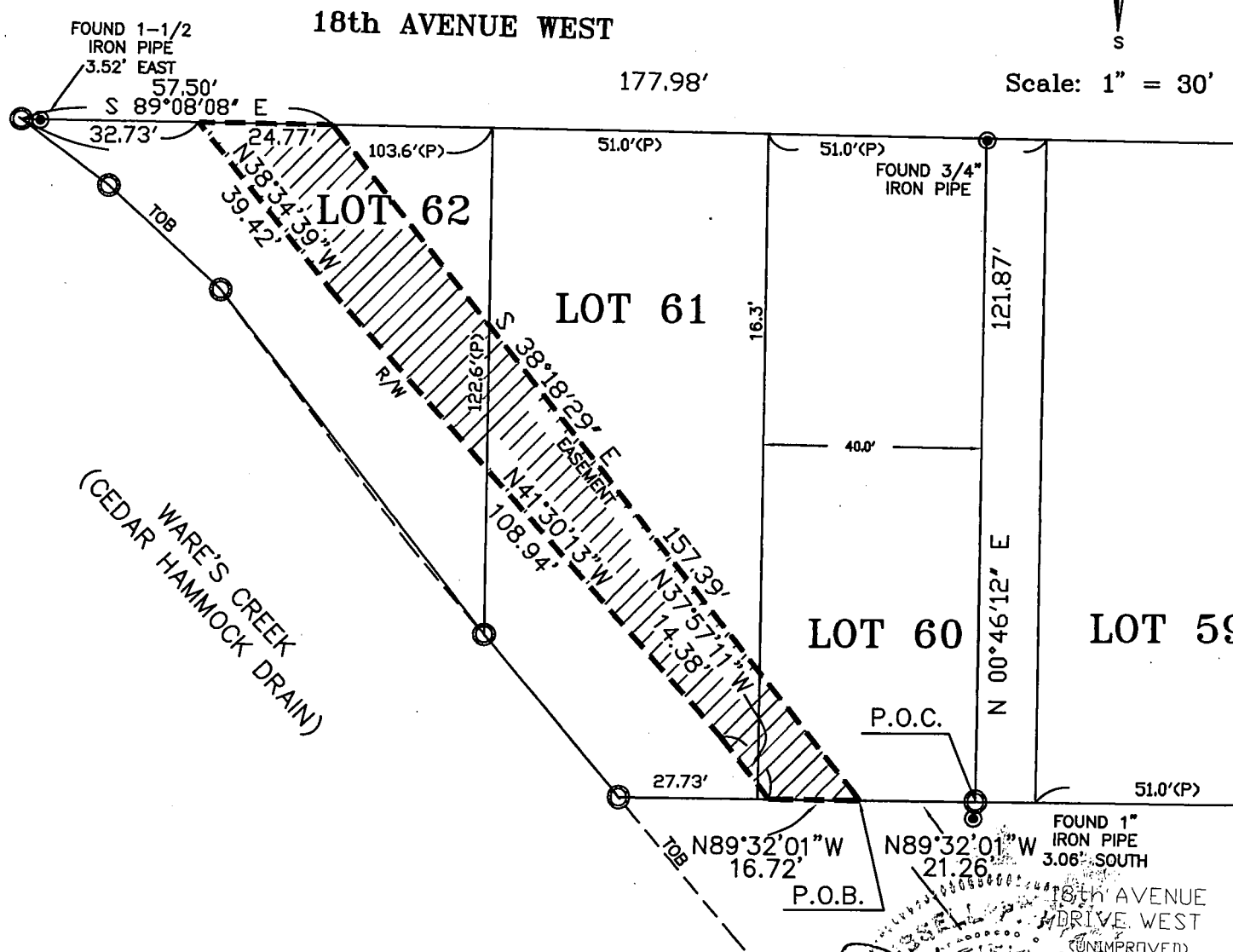
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# EXHIBIT A



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FOR: MANATEE COUNTY

**RUSSELL P. HYATT, P.S.M.**  
Florida Surveyor's Reg'n. No: LS 5303  
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SURVEYOR AND MAPPER.

**TITLE**  
**ACCESS AND MAINTENANCE EASEMENT**  
**E-128.2 PARCEL 44466-00001**  
**STATION 83+26 TO 84+97**

**Hyatt Survey Services, Inc.**  
LB No.: 7203 Geographic Data Specialists

11007 8th Avenue East Bradenton, Florida 34212  
Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 03-1073	SECTION 35	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 30'	DATE 5/24/06	DRAWN BY RSF	FILE NAME 44466-00001	SHEET 1 OF 2
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THENCE CONTINUE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOTS 60 AND 61, A DISTANCE OF 16.72 FEET; THENCE N 37°57'11" W, A DISTANCE OF 14.38 FEET; THENCE N 41°30'13" W, A DISTANCE OF 108.94 FEET; THENCE N 38°34'39" W, A DISTANCE OF 39.42 FEET; TO THE INTERSECTION WITH THE NORTH LINE OF SAID LOT 62; THENCE S 89°08'08" E, ALONG THE NORTH LINE OF SAID LOT 62, A DISTANCE OF 24.77 FEET; THENCE S 38°18'29" E, A DISTANCE OF 157.39 FEET; TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 60 AND THE POINT OF BEGINNING.

CONTAINING 2596 SQUARE FEET.

FOR: MANATEE COUNTY

<b>TITLE</b> <b>ACCESS AND MAINTENANCE EASEMENT</b> <b>E-128.2            PARCEL 44466-00001</b> <b>STATION 83+26 TO 84+97</b>					<b>Hyatt Survey Services, Inc.</b> <small>LB No.: 7203      Geographic Data Specialists</small> <small>11007 8th Avenue East      Bradenton, Florida 34212</small> <small>Phone (941) 748-4693      Fax (941) 744-1643</small>				
<b>JOB NUMBER</b> 03-1073	<b>SECTION</b> 35	<b>TOWNSHIP</b> 34 SOUTH	<b>RANGE</b> 17 EAST	<b>SCALE</b> -----	<b>DATE</b> 5/24/06	<b>DRAWN BY</b> RSF	<b>FILE NAME</b> 44466-00001	<b>SHEET</b> 2 OF 2	

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

INVOICE

MAN CO PROJECT MGT  
ATTN: MAGGIE - BOARD RECORDS

RECEIPT  
#1 of #1

001.133000

WARES CREEK PROJECT

AR PAYOR: AR300026 GOMC Book# 2386 Page# 7686  
DOC TYPE: AFF CALC AMOUNT: \$0.00

PAGES: 6 FILE# 002938769

Receipt: 490072985 7/27/11 12:11PM By: FGERNs

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	3.50
R	RECORDING FEES	001	000000341100	0	25.00
R	CLERK CT TECH FUND	199	000000341160	0	11.40
R	FL ASSOC COURT CLERK	001	000000208911	0	0.60
R	BD OF COUNTY COMM	001	000000208912	0	12.00

RECEIPT TOTAL: \$52.50  
GRAND TOTAL: \$52.50

Receipt#  
490072985 thru 490072985

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



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R.B."Chips" Shore  
P.O. Box 25400 Bradenton FL 34206  
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MAN CO PROJECT MGT  
ATTN: MAGGIE - BOARD RECORDS

RECEIPT  
#1 of #1

001.133000

WARES CREEK PROJECT

AR PAYOR: AR300026 GOMC Book# 2386 Page# 7686  
DOC TYPE: AFF CALC AMOUNT: \$0.00

PAGES: 6 FILE# 002938769

Receipt: 490072985 7/27/11 12:11PM By: FGERNs

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	3.50
R	RECORDING FEES	001	000000341100	0	25.00
R	CLERK CT TECH FUND	199	000000341160	0	11.40
R	FL ASSOC COURT CLERK	001	000000208911	0	0.60
R	BD OF COUNTY COMM	001	000000208912	0	12.00

RECEIPT TOTAL: \$52.50  
GRAND TOTAL: \$52.50

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490072985 thru 490072985

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  
P.O. Box 1000  
Bradenton, Florida 34206



PROJECT NAME: Ware's Creek  
PROJECT NO. 6028801  
PARCEL NO. 128.1, 128.2  
ID NO. 4446600001

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

**DISCLAIMER**

**WHEREAS, Stephanie S. River and Christina B. Faulk**, whose mailing address is 1705 18<sup>th</sup> Avenue West, Bradenton, Florida, 34205, hereinafter referred to as the "Grantee" is the owner and holder of certain Lessee rights in the hereinafter described real property, and

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

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

**IN WITNESS WHEREOF**, the Grantee has caused this Disclaimer to be duly executed this 13<sup>th</sup> day of May, 2011.

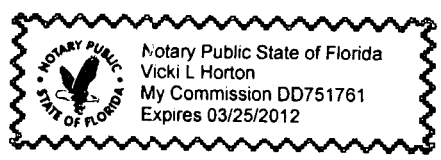
Witness Brittany Marquis  
Printed Name Brittany Marquis  
Witness Jessica W  
Printed Name Jessica Donnam  
Witness Brittany Marquis  
Printed Name Brittany Marquis  
Witness Jessica W  
Printed Name Jessica Donnam

[Signature]  
Grantee  
Stephanie S. River  
Printed Name  
[Signature]  
Grantee  
Christina B. Faulk  
Printed Name

(Signature of two witnesses required by law)

STATE OF Florida  
COUNTY OF Manatee

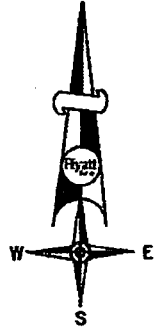
The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of May 2011, by **Stephanie S. River and Christina B. Faulk** (name of persons acknowledged), who are personally known to me or who have produced PK. as identification.



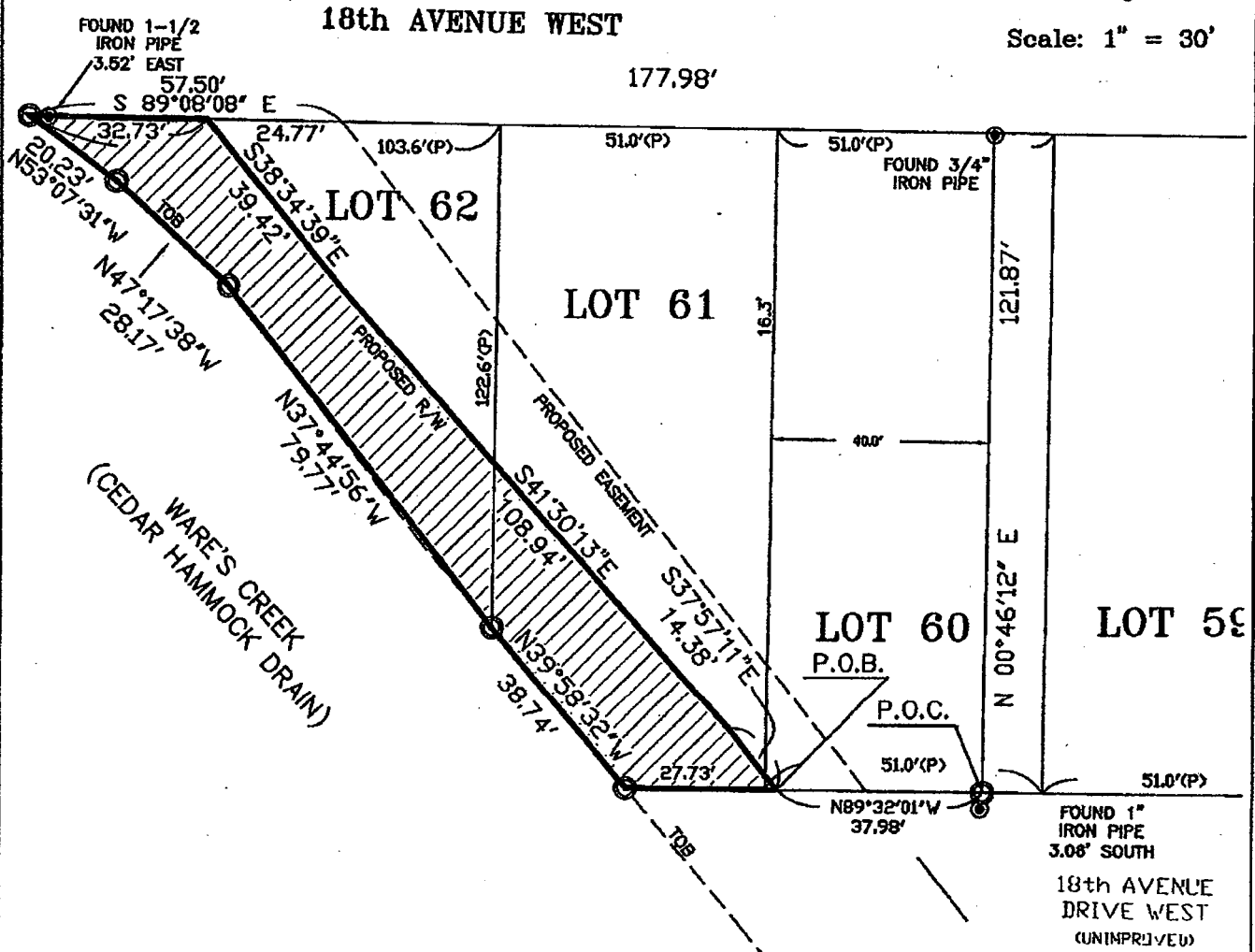
Vicki L Horton  
NOTARY PUBLIC Signature  
Vicki L Horton  
Printed Name

# EXHIBIT A

REVISED: 07/11/06 CHANGED R/W TAKING NUMBER  
 REVISED: 5/24/06 CHANGED R/W LINE R.S.F.  
 REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.  
 REVISED: 1/16/05



Scale: 1" = 30'



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

FOR: MANATEE COUNTY

RUSSELL P. HYATT, P.S.M.  
 Florida Surveyor's Reg'n. No. LS 5303  
 NOT VALID WITHOUT THE SIGNATURE AND THE  
 ORIGINAL RAISED SEAL OF A FLORIDA LICENSED  
 SURVEYOR AND MAPPER.

**TITLE**  
 RIGHT OF WAY TAKING  
 E-128.1 PARCEL 44466-00001  
 STATION 83+26 TO 84+97

**Hyatt Survey Services, Inc.**  
 L.B. No.: 7203 Geographic Data Specialists  
 11007 8th Avenue East Bradenton, Florida 34212  
 Phone (941) 748-1693 Fax (941) 744-1643

JOB NUMBER 03-1073	SECTION 35	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 30'	DATE 12/29/04	DRAWN BY PAH	FILE NAME 44466-00001	SHEET 1 OF 2
-----------------------	---------------	----------------------	------------------	-------------------	------------------	-----------------	--------------------------	-----------------



# EXHIBIT A

THAT PART OF LOTS 60, 61 AND 62, TAMiami PARK SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 125 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 60 FOR A POINT OF COMMENCEMENT; THENCE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOT 60, A DISTANCE OF 37.98 FEET FOR A POINT OF BEGINNING;

THENCE CONTINUE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOTS 60 AND 61, A DISTANCE OF 27.73 FEET TO THE TOP OF BANK OF CEDAR HAMMOCK DRAINAGE CANAL; THENCE NORTHERLY, ALONG SAID TOP OF BANK, THE FOLLOWING FOUR (4) COURSES: N 39°58'32" W, A DISTANCE OF 38.74 FEET; THENCE N 37°44'56" W, A DISTANCE OF 79.77 FEET; THENCE N 47°17'38" W, A DISTANCE OF 28.17 FEET; THENCE N 53°07'31" W, A DISTANCE OF 20.23 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID LOT 62; THENCE S 89°08'08" E, ALONG THE NORTH LINE OF SAID LOT 62, A DISTANCE OF 32.73 FEET; THENCE S 38°34'39" E, A DISTANCE OF 39.42 FEET; THENCE S 41°30'13" E A DISTANCE OF 108.94 FEET; THENCE S 37°57'11" E A DISTANCE OF 14.38 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 60 AND THE POINT OF BEGINNING.

CONTAINING 3120 SQUARE FEET.

REVISED: 07/11/06 CHANGED R/W TAKING NUMBER  
 REVISED: 5/24/06 CHANGED R/W LINE R.S.F.  
 REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.  
 REVISED: 3/28/05  
 REVISED: 1/16/05

FOR: MANATEE COUNTY

TITLE

**RIGHT OF WAY TAKING**  
**E-128.1      PARCEL 44466-00001**  
**STATION 83+26 TO 84+97**

**Hyatt Survey Services, Inc.**

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

JOB NUMBER 03-1073		SECTION 35	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE ----	DATE 12/29/04	DRAWN BY PAH	FILE NAME 44466-00001	SHEET 2 OF 2
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# EXHIBIT A

THAT PART OF LOTS 60, 61 AND 62, TAMIAMI PARK SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 125 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 60 FOR A POINT OF COMMENCEMENT; THENCE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOT 60, A DISTANCE OF 21.26 FEET FOR A POINT OF BEGINNING;

THENCE CONTINUE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOTS 60 AND 61, A DISTANCE OF 16.72 FEET; THENCE N 37°57'11" W, A DISTANCE OF 14.38 FEET; THENCE N 41°30'13" W, A DISTANCE OF 108.94 FEET; THENCE N 38°34'39" W, A DISTANCE OF 39.42 FEET; TO THE INTERSECTION WITH THE NORTH LINE OF SAID LOT 62; THENCE S 89°08'08" E, ALONG THE NORTH LINE OF SAID LOT 62, A DISTANCE OF 24.77 FEET; THENCE S 38°18'29" E, A DISTANCE OF 157.39 FEET; TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 60 AND THE POINT OF BEGINNING.

CONTAINING 2596 SQUARE FEET.

FOR: MANATEE COUNTY

<b>TITLE</b> <b>ACCESS AND MAINTENANCE EASEMENT</b> <b>E-128.2                  PARCEL 44488-00001</b> <b>STATION 83+26 TO 84+97</b>					<b>Hyatt Survey Services, Inc.</b> <small>LB No.: 7203      Geographic Data Specialists</small> <small>11007 8th Avenue East      Bradenton, Florida 34212</small> <small>Phone (941) 748-4693      Fax (941) 744-1643</small>				
<b>JOB NUMBER</b> 03-1073	<b>SECTION</b> 35	<b>TOWNSHIP</b> 34 SOUTH	<b>RANGE</b> 17 EAST	<b>SCALE</b> ----	<b>DATE</b> 5/24/08	<b>DRAWN BY</b> RSF	<b>FILE NAME</b> 44488-00001	<b>SHEET</b> 2 OF 2	

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

INVOICE

MAN CO PROJECT MGT  
ATTN: MAGGIE - BOARD RECORDS

RECEIPT  
#1 of #1

WARES CREEK PROJECT

001.133000

AR PAYOR: AR300026 GOMC Book# 2386 Page# 7693  
DOC TYPE: NOT CALC AMOUNT: \$0.00

PAGES: 5 FILE# 002938771  
Receipt: 490072986 7/27/11 12:13PM

By: FGERNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEEES
R	RECORDING TRUST	199	000000341150	0	3.00
R	RECORDING FEES	001	000000341100	0	21.00
R	CLERK CT TECH FUND	199	000000341160	0	9.50
R	FL ASSOC COURT CLERK	001	000000208911	0	0.50
R	BD OF COUNTY COMM	001	000000208912	0	10.00



RECEIPT TOTAL: \$44.00  
GRAND TOTAL: \$44.00

Receipt#  
490072986 thru 490072986

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

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

INVOICE

MAN CO PROJECT MGT  
ATTN: MAGGIE - BOARD RECORDS

RECEIPT  
#1 of #1

WARES CREEK PROJECT

001.133000

AR PAYOR: AR300026 GOMC Book# 2386 Page# 7693  
DOC TYPE: NOT CALC AMOUNT: \$0.00

PAGES: 5 FILE# 002938771  
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R	FL ASSOC COURT CLERK	001	000000208911	0	0.50
R	BD OF COUNTY COMM	001	000000208912	0	10.00



RECEIPT TOTAL: \$44.00  
GRAND TOTAL: \$44.00

Receipt#  
490072986 thru 490072986

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

Partial Release Corporate

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



PROJECT NO. 6028801  
PARCEL NO. 128.1  
ID NO. 4446600001

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

### PARTIAL RELEASE

**WHEREAS, Wells Fargo Bank, N.A. as successor in interest to World Savings Bank, FSB** ("ENCUMBRANCER"), whose mailing address is 4101 Wiseman Boulevard, San Antonio, Texas, 78251, is the holder of certain rights and interest in the real property described herein or attached hereto as Exhibit "A" (the "Property"), as well as other real property by virtue of a Mortgage (the "Instrument"), dated the 15th day of February, 2006, and recorded in Official Records Book 2114, Page 2885, of the Public Records of Manatee County, Florida; and

**WHEREAS, MANATEE COUNTY**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, in connection with the acquisition of the Property for a valid county and public purpose has requested the Encumbrancer to release the Property from the operation and effect of the Instrument.

**NOW, THEREFORE**, in consideration of the foregoing and other good and valuable consideration to the Encumbrancer in hand paid, the receipt of which is hereby acknowledged, the Encumbrancer does hereby release from the operation and effect of the Instrument and disclaim all right, title and interest in the following described real property located in Manatee County, Florida, to wit:

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

Provided this partial release shall not impair the effect of the Instrument on the remaining part of the premises referenced therein, not hereby released therefrom, or any of the rights or remedies of the Encumbrancer, or any subsequent holder or holders thereof.

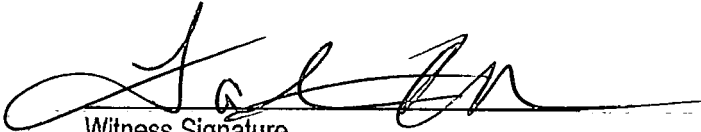
IN WITNESS WHEREOF, the Encumbrancer has caused this Partial Release to be duly executed this

the 3rd day of June, 2011

Signed, sealed and delivered  
in the presence of:

(CORPORATE SEAL)

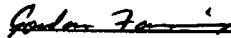
Wells Fargo Bank, N.A. as successor in interest  
to World Savings Bank, FSB



Witness Signature

Fatima Wade

Printed Name



Witness Signature

Gordon Fairman

Printed Name

BY:

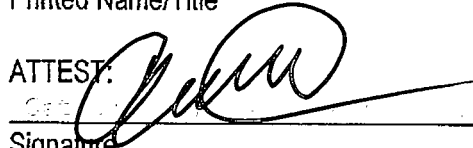
Signature

Lorna L. Slaughter - Vice President

Printed Name/Title

ATTEST:

Signature



Catherine Coupar - Assistant Secretary

Printed Name/Title

(Signature of two witnesses or secretary required by law)

STATE OF MARYLAND

COUNTY OF FREDERICK

The foregoing instrument was acknowledged before me this 3rd day of June, 2011 by  
Lorna L. Slaughter , Vice President (name and title of  
agent) of Wells Fargo Bank, N.A., as successor in interest to World Savings Bank, FSB, (name of  
Association acknowledging), (state or place of Association), on behalf of the Association, who is/are  
personally known to me or has/have produced \_\_\_\_\_ as identification.

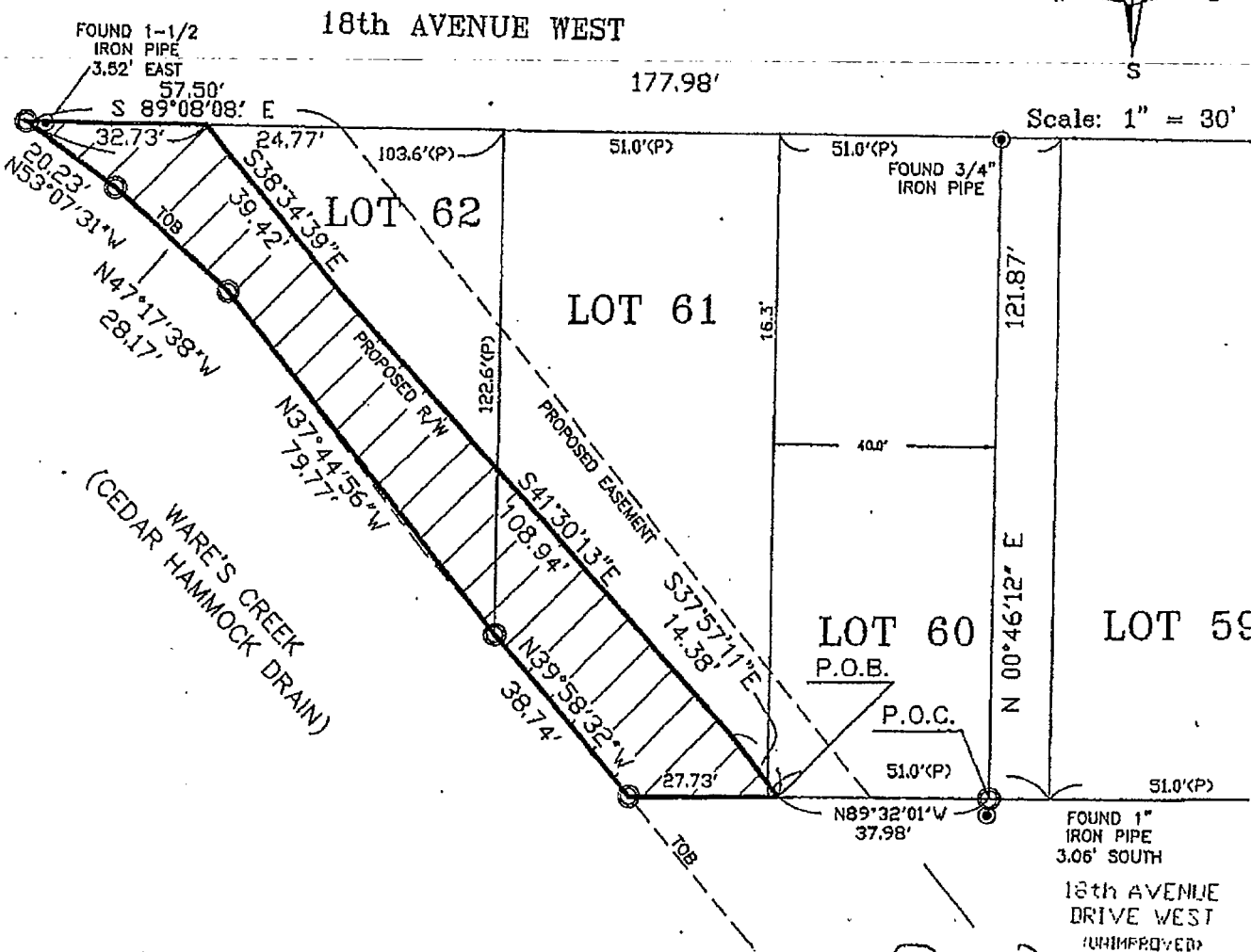
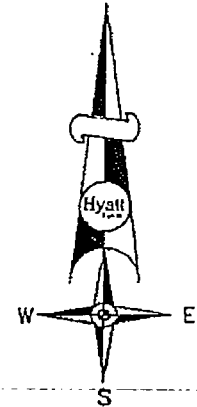


  
NOTARY PUBLIC Signature

Jeffery R. Fremming  
Printed Name

REVISED: 07/11/06 CHANGED R/W TAKING NUMBER  
 REVISED: 5/24/06 CHANGED R/W LINE R.S.F.  
 REVISED: 2/6/06 TITLE BLOCK CHANGED P.H.  
 REVISED: 1/16/05

# EXHIBIT A



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

FOR: MANATEE COUNTY

*Russell P. Hyatt*  
 RUSSELL P. HYATT, P.S.M.  
 Florida Surveyor's Reg'n. No. LS 5303  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

TITLE  
 RIGHT OF WAY TAKING  
 E-128.1 PARCEL 44466-00001  
 STATION 83+26 TO 84+97

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

JOB NUMBER 03-1073	SECTION 35	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 30'	DATE 12/29/04	DRAWN BY PAH	FILE NAME 44466-00001	SHEET 1 OF 2
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# EXHIBIT A

THAT PART OF LOTS 60, 61 AND 62, TAMAMI PARK SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 125 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 60 FOR A POINT OF COMMENCEMENT; THENCE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOT 60, A DISTANCE OF 37.98 FEET FOR A POINT OF BEGINNING;

THENCE CONTINUE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOTS 60 AND 61, A DISTANCE OF 27.73 FEET TO THE TOP OF BANK OF CEDAR HAMMOCK DRAINAGE CANAL; THENCE NORTHERLY, ALONG SAID TOP OF BANK, THE FOLLOWING FOUR (4) COURSES: N 39°58'32" W, A DISTANCE OF 38.74 FEET; THENCE N 37°44'56" W, A DISTANCE OF 79.77 FEET; THENCE N 47°17'38" W, A DISTANCE OF 28.17 FEET; THENCE N 53°07'31" W, A DISTANCE OF 20.23 FEET TO THE INTERSECTION WITH THE NORTH LINE OF SAID LOT 62; THENCE S 89°08'08" E, ALONG THE NORTH LINE OF SAID LOT 62, A DISTANCE OF 32.73 FEET; THENCE S 38°34'39" E, A DISTANCE OF 39.42 FEET; THENCE S 41°30'13" E A DISTANCE OF 108.94 FEET; THENCE S 37°57'11" E A DISTANCE OF 14.38 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 60 AND THE POINT OF BEGINNING.

CONTAINING 3120 SQUARE FEET.

REVISED: 07/11/06 CHANGED R/W TAKING NUMBER  
 REVISED: 5/24/08 CHANGED R/W LINE R.S.F.  
 REVISED: 2/6/08 TITLE BLOCK CHANGED P.H.  
 REVISED: 3/28/05  
 REVISED: 1/16/05

FOR: MANATEE COUNTY

TITLE

RIGHT OF WAY TAKING  
 E-128.1 PARCEL 44466-00001  
 STATION 83+26 TO 84+97

**Hyatt Survey Services, Inc.**  
 LB No.: 7203 Geographic Data Specialists  
 11007 8th Avenue East Bradenton, Florida 34212  
 Phone (941) 743-4693 Fax (941) 744-1643

JOB NUMBER 03-1073		SECTION 35	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE ----	DATE 12/29/04	DRAWN BY PAH	FILE NAME 44466-00001	SHEET 2 OF 2
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Clerk of the Circuit Court - Manatee County  
R.B."Chips" Shore  
P.O. Box 25400 Bradenton FL 34206  
Visit our website: "www.manateeclerk.com"

INVOICE

MAN CO PROJECT MGT  
ATTN: MAGGIE - BOARD RECORDS

RECEIPT  
#1 of #1

001.133000

WARES CREEK PROJECT

AR PAYOR: AR300026 GOMC Book# 2386 Page# 7719  
DOC TYPE: REL CALC AMOUNT: \$0.00  
PAGES: 4 FILE# 002938775  
Receipt: 490072987 7/27/11 12:15PM

By: FGERNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	2.50
R	RECORDING FEES	001	000000341100	0	17.00
R	CLERK CT TECH FUND	199	000000341160	0	7.60
R	FL ASSOC COURT CLERK	001	000000208911	0	0.40
R	BD OF COUNTY COMM	001	000000208912	0	8.00

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

Receipt#  
490072987 thru 490072987

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



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

INVOICE

MAN CO PROJECT MGT  
ATTN: MAGGIE - BOARD RECORDS

RECEIPT  
#1 of #1

001.133000

WARES CREEK PROJECT

AR PAYOR: AR300026 GOMC Book# 2386 Page# 7719  
DOC TYPE: REL CALC AMOUNT: \$0.00  
PAGES: 4 FILE# 002938775  
Receipt: 490072987 7/27/11 12:15PM

By: FGERNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	2.50
R	RECORDING FEES	001	000000341100	0	17.00
R	CLERK CT TECH FUND	199	000000341160	0	7.60
R	FL ASSOC COURT CLERK	001	000000208911	0	0.40
R	BD OF COUNTY COMM	001	000000208912	0	8.00

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

Receipt#  
490072987 thru 490072987

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 Management Department Acquisition  
Manatee County Government  
P.O. Box 1000  
Bradenton, Florida 34206



PROJECT NO. 465-6028801  
PARCEL NO. E-128.2  
ID NO.: 4446600001

SPACE ABOVE THIS LINE FOR RECORDING DATA

**CONSENT**

**WHEREAS, Wells Fargo Bank, N.A. as successor in interest to World Savings Bank, FSB, whose mailing address is 4101 Wiseman Boulevard, San Antonio, Texas, 78251 (hereinafter referred to as the "Mortgagee") is the owner and holder of that certain mortgage dated the 15th day of February, 2006, by and between Benjamin Shives and Lisa Shives, husband and wife, hereinafter referred to as the "Mortgagor") and Mortgagee, recorded in Official Records Book 2114, Page 2885 of the Public Records of Manatee County, Florida, encumbering the hereinafter described real property; and**

**WHEREAS, the County of Manatee, for good and valuable consideration, has or will obtain from the Mortgagor a perpetual non-exclusive maintenance and access easement for ingress, egress, construction and maintenance of Wares Creek (the "Access and Maintenance Agreement") over and across the following described property situate in the Count of Manatee, State of Florida, more particularly described as follows:**

(See legal description attached hereto as Composite Exhibit "A" and made a part hereof by reference.)

**WHEREAS, the County of Manatee has requested that the Mortgagee consent to the Access and Maintenance Easement referred to above and the Mortgagee has agreed to consent to the same.**

**NOW THEREFORE, in consideration of the premises and the recitals and covenants herein set forth, the Mortgagee agrees as follows:**

1. **Recitals.** The above recitals are true and correct and incorporated herein by reference.
2. **Joinder and Consent.** The Mortgagee hereby joins and consents to the terms and conditions of the Access and Maintenance Agreement recorded or to be recorded among the Public Records of Manatee County, Florida and further agrees, this Consent may be

recorded among the Public Records of Manatee County, Florida as part and parcel thereof for the purposes herein set forth.

IN WITNESS WHEREOF, the Mortgagee has caused this 3rd day of June, 2011. Consent to be duly executed this

Signed, sealed and delivered in the presence of:

Wells Fargo Bank, N.A. as successor in interest to World Savings Bank, FSB

[Signature]

By: Lorna L. Slaughter

Printed Name: Fatima Wade

Printed Name: Lorna L. Slaughter

Its: Vice President

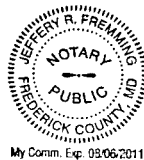
[Signature]

Printed Name: Gordon Fairman

STATE OF MARYLAND

COUNTY OF FREDERICK

The foregoing instrument was acknowledged before me this 3rd day of June, 2011 by Lorna L. Slaughter, as Vice President of Wells Fargo Bank, N.A. as successor in interest to World Savings Bank, FSB, on behalf of the Association, who is personally known to me or has produced as identification.

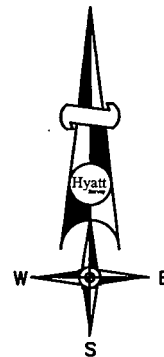


[Signature]  
NOTARY PUBLIC, STATE OF MARYLAND

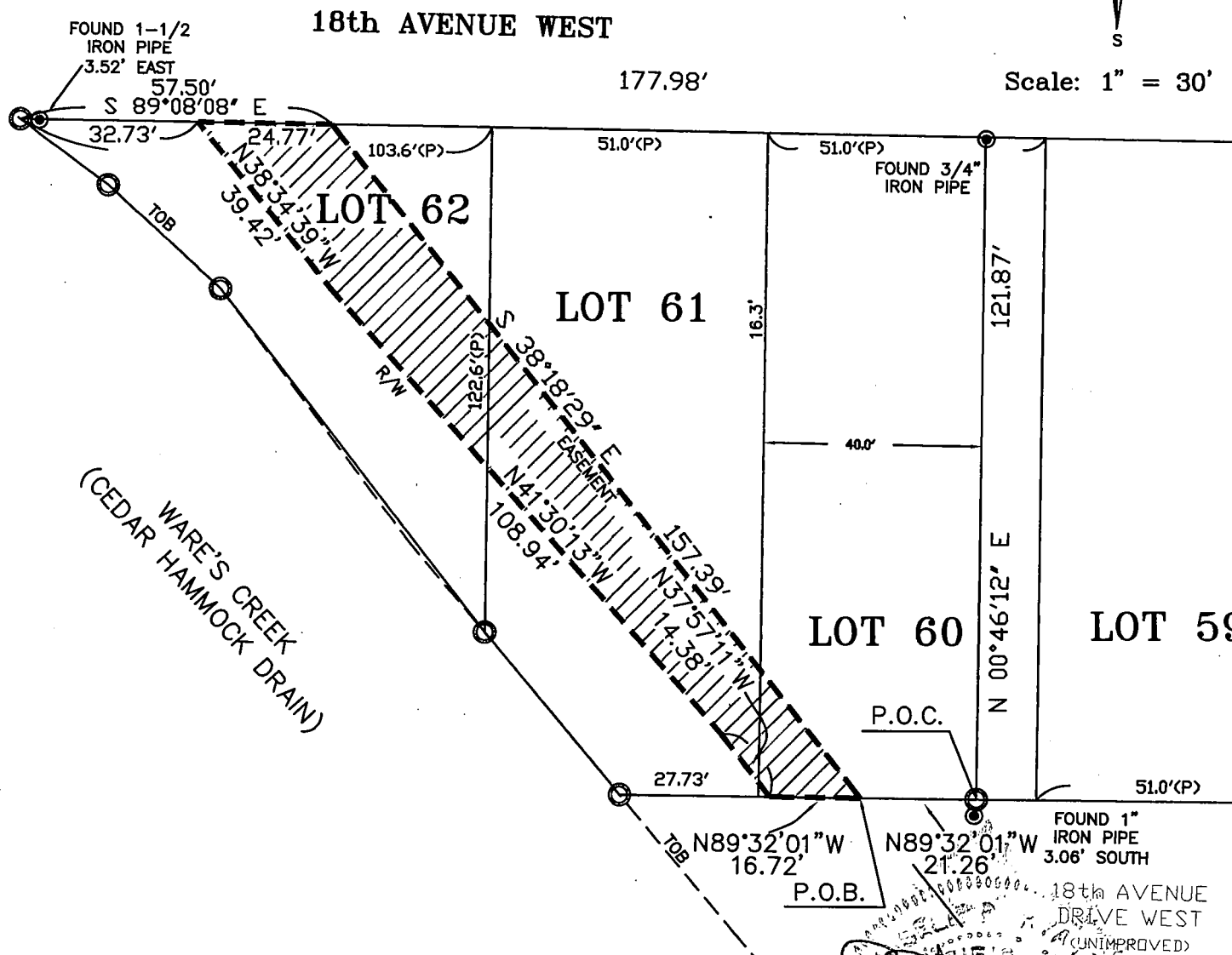
Printed Name: Jeffery R. Fremming

My Commission Expires: 8/6/2011

# EXHIBIT A



Scale: 1" = 30'



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

FOR: MANATEE COUNTY

RUSSELL P. HYATT, P.S.M.  
Florida Surveyor's Reg'n. No. LS 5303  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**TITLE**  
ACCESS AND MAINTENANCE EASEMENT  
E-128.2 PARCEL 44466-00001  
STATION 83+26 TO 84+97

**Hyatt Survey Services, Inc.**  
LB No: 7203 Geographic Data Specialists

11007 8th Avenue East Bradenton, Florida 34212  
Phone (941) 748-4693 Fax (941) 744-1643

JOB NUMBER 03-1073	SECTION 35	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 30'	DATE 5/24/06	DRAWN BY RSF	FILE NAME 44466-00001	SHEET 1 OF 2
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# EXHIBIT A

THAT PART OF LOTS 60, 61 AND 62, TAMIAMI PARK SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 125 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 60 FOR A POINT OF COMMENCEMENT; THENCE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOT 60, A DISTANCE OF 21.26 FEET FOR A POINT OF BEGINNING;

THENCE CONTINUE N 89°32'01" W, ALONG THE SOUTH LINE OF SAID LOTS 60 AND 61, A DISTANCE OF 16.72 FEET; THENCE N 37°57'11" W, A DISTANCE OF 14.38 FEET; THENCE N 41°30'13" W, A DISTANCE OF 108.94 FEET; THENCE N 38°34'39" W, A DISTANCE OF 39.42 FEET; TO THE INTERSECTION WITH THE NORTH LINE OF SAID LOT 62; THENCE S 89°08'08" E, ALONG THE NORTH LINE OF SAID LOT 62, A DISTANCE OF 24.77 FEET; THENCE S 38°18'29" E, A DISTANCE OF 157.39 FEET; TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 60 AND THE POINT OF BEGINNING.

CONTAINING 2596 SQUARE FEET.

FOR: MANATEE COUNTY

<b>TITLE</b> <b>ACCESS AND MAINTENANCE EASEMENT</b> <b>E-128.2                      PARCEL 44466-00001</b> <b>STATION 83+26 TO 84+97</b>					<b>Hyatt Survey Services, Inc.</b> <small>LB No.: 7203                      Geographic Data Specialists</small> <small>11007 8th Avenue East                      Bradenton, Florida 34212</small> <small>Phone (941) 748-4693                      Fax (941) 744-1643</small>				
<b>JOB NUMBER</b> 03-1073	<b>SECTION</b> 35	<b>TOWNSHIP</b> 34 SOUTH	<b>RANGE</b> 17 EAST	<b>SCALE</b> ----	<b>DATE</b> 5/24/06	<b>DRAWN BY</b> RSF	<b>FILE NAME</b> 44466-00001	<b>SHEET</b> 2 OF 2	

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R.B."Chips" Shore  
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MAN CO PROJECT MGT  
ATTN: MAGGIE - BOARD RECORDS

RECEIPT  
#1 of #1

WARES CREEK PROJECT

001.133000

AR PAYOR: AR300026 GOMC Book# 2386 Page# 7769  
DOC TYPE: AGR CALC AMOUNT: \$0.00  
PAGES: 4 FILE# 002938781  
Receipt#: 490072989 7/27/11 12:28PM

By: FGERNs

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEEs
R	RECORDING TRUST	199	000000341150	0	2.50
R	RECORDING FEES	001	000000341100	0	17.00
R	CLERK CT TECH FUND	199	000000341160	0	7.60
R	FL ASSOC COURT CLERK	001	000000208911	0	0.40
R	BD OF COUNTY COMM	001	000000208912	0	8.00



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

Receipt#  
490072989 thru 490072989

OFFICE HOURS \*\*\*\*\*8:30 AM - 5:00 PM  
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Access and Maintenance Easement Individual

This instrument prepared by:  
Rodney C. Wade, Assistant County Attorney  
P.O. Box 1000  
Bradenton, Florida 34206-1000



PROJECT #465-6028801  
PARCEL # E-128.2  
D.P. # 4446600001

SPACE ABOVE THIS LINE FOR RECORDING DATA

**ACCESS AND MAINTENANCE EASEMENT**

***THIS INDENTURE***, made this 7<sup>th</sup> day of July, 2011, between **Benjamin Shives and Lisa Shives, husband and wife**, whose mailing address is 4306 Pinfish Lane, Palmetto, FL 34221-5656, as Grantors, and **COUNTY OF MANATEE**, a Political Subdivision of the State of Florida, with its mailing address being P.O. Box 1000, Bradenton, Florida 34206, as Grantee.

**WITNESSETH**

That said Grantors, for and in consideration of the sum of \$1.00 and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred, and by these presents do grant, bargain, sell and transfer unto Grantee, a ***permanent access, construction and maintenance easement to the public, in perpetuity, for any and all activities relating to the ingress, egress, design & construction, and maintenance of Wares Creek and/or the Wares Creek Stormwater Improvement Project*** through and across the following described property situate in the County of Manatee, State of Florida, more particularly described as follows:

See legal description identified  
as Exhibit "A" attached hereto

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

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals, the day and year above written.

Signed, sealed and delivered in the presence of:

Witness

Allen Dominick

ALLENA DOMINICK

Printed Name

Nancy B. Starrett

Witness

Tracey B. Starrett

Printed Name

Allen Dominick

Witness

ALLENA DOMINICK

Printed Name

Nancy B. Starrett

Witness

Tracey B. Starrett

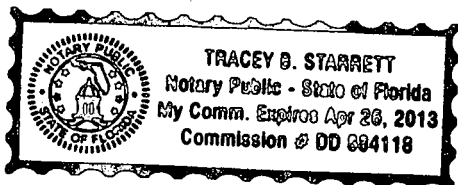
Printed Name

(Signature of two witnesses required by law)

STATE OF FLORIDA

COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of July, 2011 by Benjamin Shives and Lisa Shives, husband and wife, who are personally known to me or who have produced drivers licenses as identification.



Benjamin Shives (Seal)

Signature

Benjamin Shives

Printed Name

Lisa Shives (Seal)

Signature

Lisa Shives

Printed Name

Tracey B. Starrett

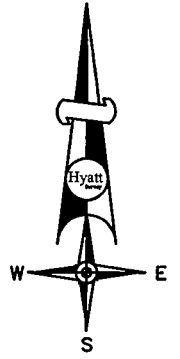
NOTARY PUBLIC Signature

Tracey B. Starrett

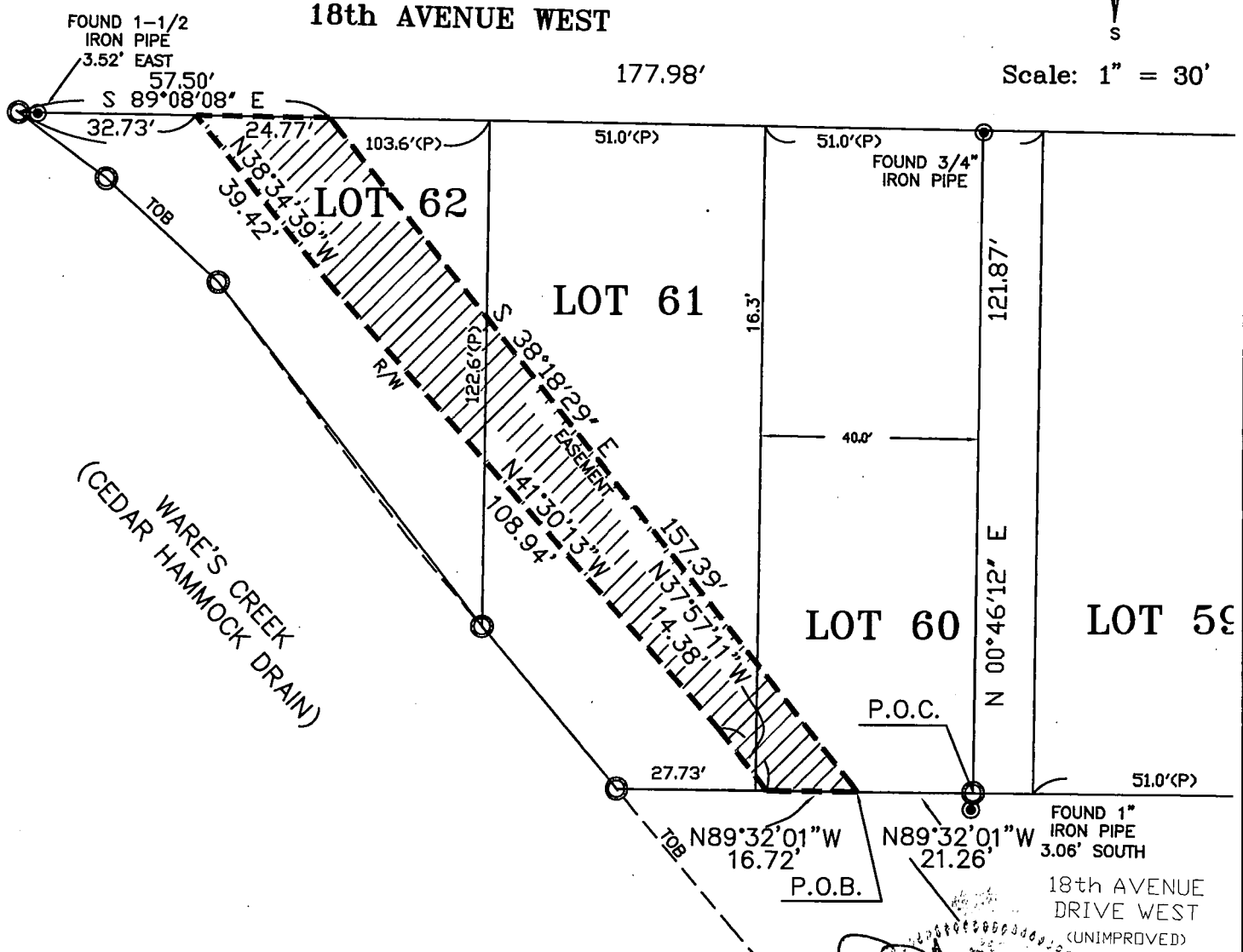
Printed Name



# EXHIBIT A



Scale: 1" = 30'



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

FOR: MANATEE COUNTY

*Russell P. Hyatt*  
**RUSSELL P. HYATT, P.S.M.**  
 Florida Surveyor's Reg. No. LS 5303  
 NOT VALID WITHOUT THE SIGNATURE AND THE  
 ORIGINAL RAISED SEAL OF A FLORIDA LICENSED  
 SURVEYOR AND MAPPER.

**TITLE**  
**ACCESS AND MAINTENANCE EASEMENT**  
**E-128.2 PARCEL 44466-00001**  
**STATION 83+26 TO 84+97**

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

JOB NUMBER 03-1073	SECTION 35	TOWNSHIP 34 SOUTH	RANGE 17 EAST	SCALE 1" = 30'	DATE 5/24/06	DRAWN BY RSF	FILE NAME 44466-00001	SHEET 1 OF 2
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WARES CREEK PROJECT

001.133000

AR PAYOR: AR300026 GOMC Book# 2386 Page# 7774  
DOC TYPE: EAS CALC AMOUNT: \$0.00  
PAGES: 4 FILE# 002938783  
Receipt: 490072990 7/27/11 12:28PM

By: FGERNS

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEEES
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WARES CREEK STORMWATER IMPROVEMENT PROJECT

SHIVES PARCEL E128  
1705 18<sup>TH</sup> AVENUE WEST



DISTRICT #2  
COMMISSIONER MICHAEL GALLEN