

This instrument prepared by:
Joaquin Servia, Manager, Property Acquisition
Property Management Department
P.O. Box 1000
Bradenton, Florida 34206
Parcel #: 153
Property ID#: 16383.0000/2



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

THIS SPECIAL WARRANTY DEED made the 22nd day of February A.D. 2013, by **Cemex Construction Materials Florida, LLC.**, a Delaware limited liability company, whose mailing address is 1501 Belvedere Road, West Palm Beach, Florida 33406, hereinafter called grantor, to **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").

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 Property in fee simple; that the grantor has good right and lawful authority to sell and convey said Property, and hereby specially warrants the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under grantor, but against none other; and that said Property is free of all encumbrances, except easements of record.

The Property described herein was vested in grantor by virtue of special warranty deed recorded at Book 02279 Page 6056, as corrected by instrument recorded at Book 02304 Page 5929 in the Public Records of Manatee County, Florida.

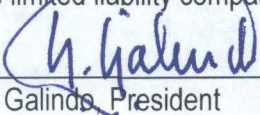
IN WITNESS WHEREOF the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered in the presence of:

Cemex Construction Materials Florida, LLC
a Delaware limited liability company



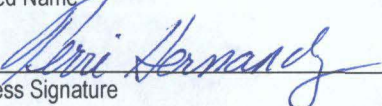
Witness Signature

By: 

Gonzalo Galindo, President

MYKA MAHONEY

Printed Name



Witness Signature

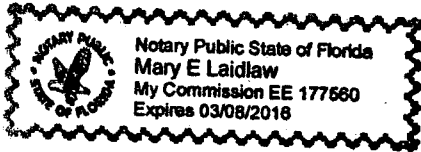
Terri Hernandez


Printed Name

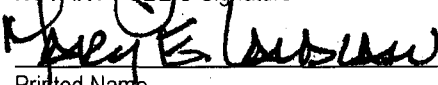
(Signature of two witnesses required by law)

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Special Warranty Deed was acknowledged before me this 22nd day of February, 2013, by **Gonzalo Galindo** as **President of Cemex Construction Materials Florida, LLC**, a Delaware limited liability company on behalf of the company, who is personally known to me ~~or who has produced~~ _____ as identification.





NOTARY PUBLIC Signature


Printed Name



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ENGINEERS | PLANNERS | SURVEYORS | LANDSCAPE ARCHITECTS | ENVIRONMENTAL CONSULTANTS
EB 0027476 LS 0006982 LC 0000365

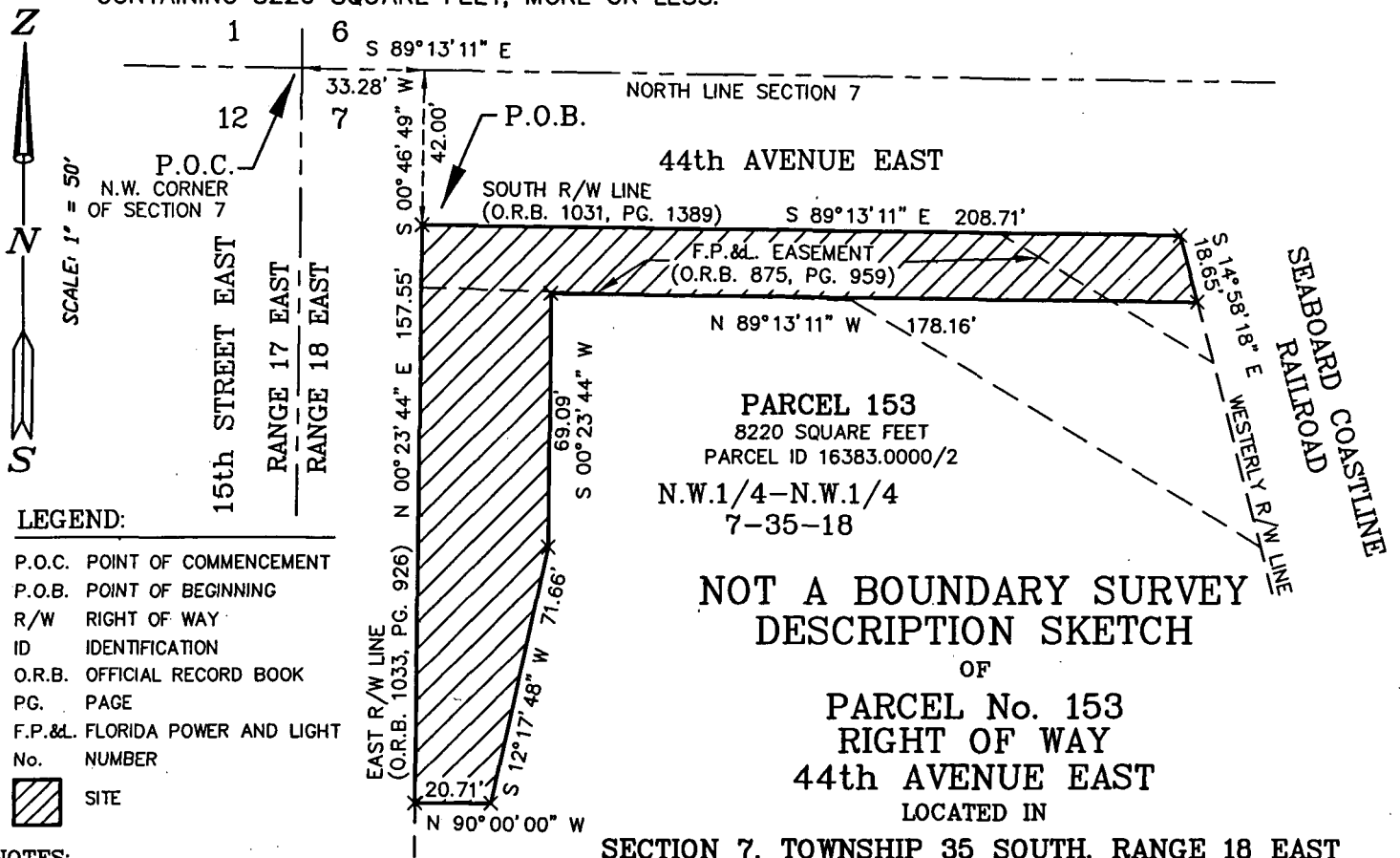
201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A PARCEL OF LAND LYING IN THE N.W. 1/4 OF THE N.W. 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 7; THENCE S 89°13'11" E, ALONG THE NORTH LINE OF SAID SECTION 7, A DISTANCE OF 33.28 FEET; THENCE S 00°46'49" W, A DISTANCE OF 42.00 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF 44th AVENUE EAST AND THE POINT OF BEGINNING; THENCE S 89°13'11" E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 208.71 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF SEABOARD COASTLINE RAILROAD; THENCE S 14°58'18" E, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 18.65 FEET; THENCE N 89°13'11" W, A DISTANCE OF 178.16 FEET; THENCE S 00°23'44" W, A DISTANCE OF 69.09 FEET; THENCE S 12°17'48" W, A DISTANCE OF 71.66 FEET; THENCE N 90°00'00" W, A DISTANCE OF 20.71 FEET TO AN INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF 15th STREET EAST; THENCE N 00°23'44" E, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 157.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 8220 SQUARE FEET, MORE OR LESS.



LEGEND:

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- R/W RIGHT OF WAY
- ID IDENTIFICATION
- O.R.B. OFFICIAL RECORD BOOK
- PG. PAGE
- F.P.&L. FLORIDA POWER AND LIGHT
- No. NUMBER
- SITE

NOTES:

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2. THIS DRAWING IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY AS SUCH.

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PARCEL 153
8220 SQUARE FEET
PARCEL ID 16383.0000/2
N.W.1/4-N.W.1/4
7-35-18

NOT A BOUNDARY SURVEY DESCRIPTION SKETCH

OF

PARCEL No. 153
RIGHT OF WAY
44th AVENUE EAST
LOCATED IN

SECTION 7, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

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

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION HAVE BEEN PREPARED UNDER OUR DIRECT SUPERVISION, THAT THEY ARE A TRUE REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED HEREON, THAT THEY ARE CORRECT TO THE BEST OF OUR KNOWLEDGE, AND BELIEF AND THAT THEY MEET THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA" CHAPTER 61G17, FLORIDA ADMINISTRATIVE CODE.

BY:
JAMES N. GATCH, JR. P.S.M.
FLORIDA CERTIFICATE NO. LS 4295
DATE OF CERTIFICATION: 12/15/09

EXHIBIT "A"

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

BOARD RECORDS
MAN CO PROJECT MGT

RECEIPT
#2 of #2

001.133000

FL

AR PAYOR: AR700013 GOMC BK 2464 PG 3739 through BK 2464 PG 3741
DOC TYPE: D CALC AMOUNT: \$0.00
PAGES: 3 FILE# 003132167
Receipt: 430223234 3/27/13 10:31AM By: FGERNs

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
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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: \$45.50

Receipt#
430223233 thru 430223234

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

ID #16383.0000/2



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

AFFIDAVIT OF OWNERSHIP AND ENCUMBRANCES

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Gonzalo Galindo, President, of **Cemex Construction Materials Florida, LLC** (the "Grantor") whose mailing address is 1501 Belvedere Road, West Palm Beach, Florida 33406, who being first duly sworn, deposes and says:

1. I am the duly elected President of the Company and as such, make the following statements based upon my personal knowledge, belief and review of available, relevant records as of the date hereof.

2. That the Grantor, is the record title holder of and has full authority to sell or encumber the following described property, (hereinafter "Property").

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

3. That the Grantor 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").

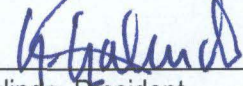
4. To the best of my knowledge, there are no unrecorded mortgages, liens, encumbrances, including but not limited to any leasehold interest or potential claims against the Property, except as contemplated by that certain Contract for Sale and Purchase of Real Property dated February 12, 2013 by and between the Grantor and Grantee.

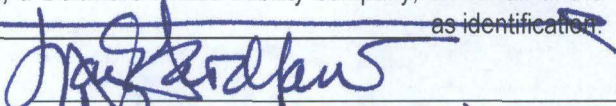
5. To the best of my knowledge, there are no labor, material, or services furnished for improvement of the Property, which remains unpaid, except as set forth in paragraph 4 of this affidavit.

6. To the best of my knowledge, there are no claims, demands, liens, or judgments outstanding against the Property and the Grantor is not indebted to anyone for any such Property, except as set forth in paragraph 4 of this affidavit and taxes accruing subsequent to December 31, 2012.

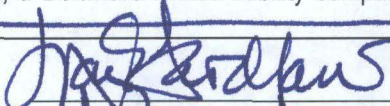
7. That the Grantor makes this affidavit for the purpose of assisting the Grantee in the acquisition of the Property.

Cemex Construction Materials Florida, LLC

By: 
Gonzalo Galindo, President

SWORN to (or affirmed) and subscribed before me this 22nd day of February, 2013, by Gonzalo Galindo, President of **Cemex Construction Materials Florida, LLC**, a Delaware limited liability company, on behalf of the company, who is personally known to me ~~or has produced~~  as identification.




NOTARY PUBLIC Signature
Mary E. Laidlaw
Printed Name



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EB 0027476 LS 0006982 LC 0000365

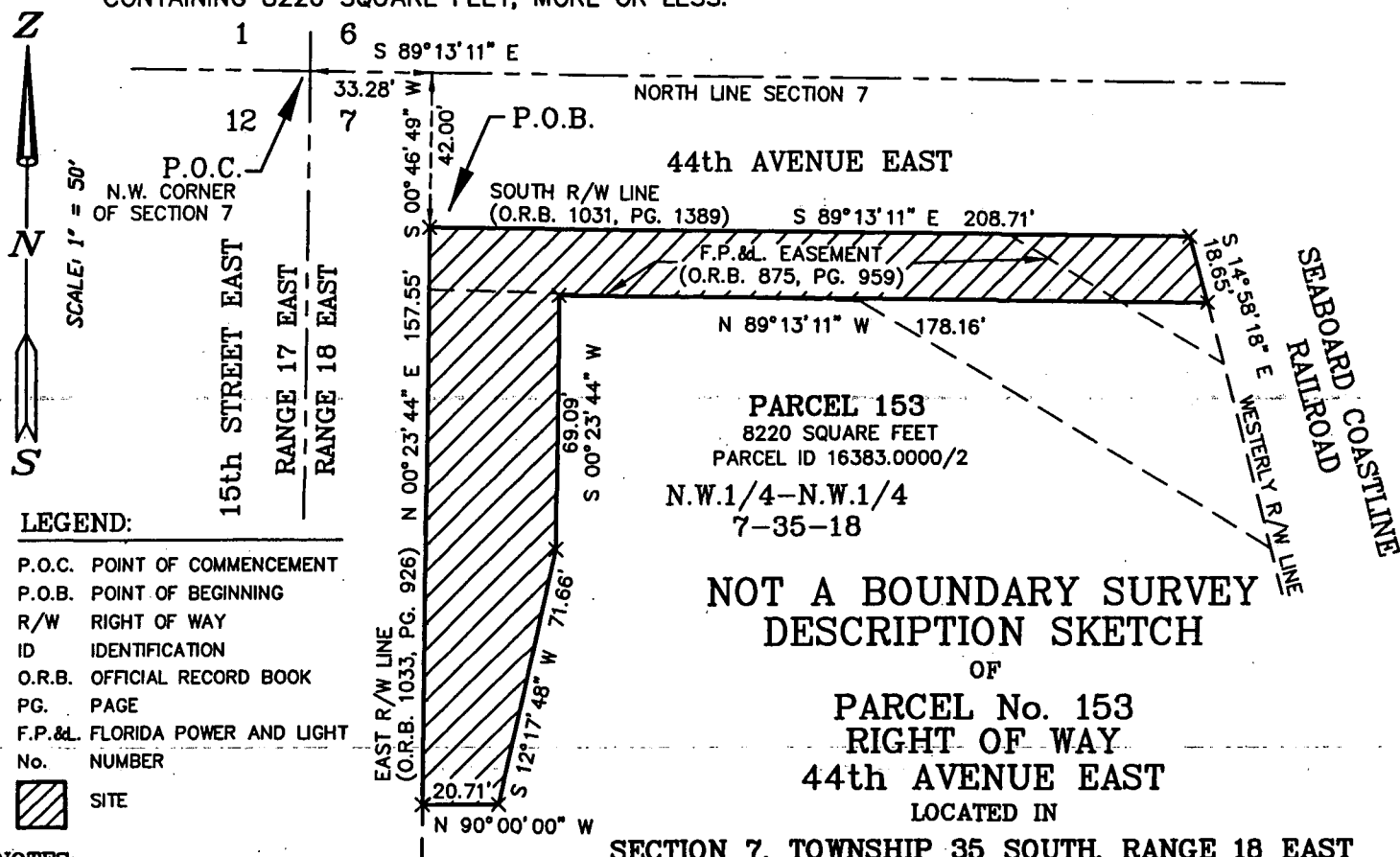
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SECTION 7, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

NOT A BOUNDARY SURVEY
DESCRIPTION SKETCH

OF
PARCEL No. 153
RIGHT OF WAY
44th AVENUE EAST
LOCATED IN

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BY: *J. N. Gatch, Jr.*
JAMES N. GATCH, JR., P.S.M.
FLORIDA CERTIFICATE NO. LS 4295
DATE OF CERTIFICATION: 12/15/09

EXHIBIT "A"

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

BOARD RECORDS
MAN CO PROJECT MGT

RECEIPT
#1 of #2

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AR PAYOR: AR700013 GOMC Book# Page#
DOC TYPE: AFF CALC AMOUNT: \$0.00
PAGES: 2 FILE#
Receipt: 430223233 3/27/13 10:31AM By: FGERNS

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R	RECORDING FEES	001	000000341100	0	9.00
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R	FL ASSOC COURT CLERK	001	000000208911	0	0.20
R	BD OF COUNTY COMM	001	000000208912	0	4.00



RECEIPT TOTAL: \$18.50
GRAND TOTAL:

Receipt#
thru

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March 26, 2013 - Regular Meeting
Agenda Item #28

APPROVED IN OPEN SESSION March 26, 2013
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

Subject

Cemex Construction Materials Florida, LLC property purchase located at 44th Avenue East

Briefings

None

Contact and/or Presenter Information

Paul Johnson, Property Management, Ext. 6284

Joaquin Servia, Division Manager, Property Management, Ext. 3021

Action Requested

Acceptance of, authorization to record, a Special Warranty Deed from Cemex Construction Materials Florida, LLC for the 44th Avenue East Road Right of Way Improvement Project.

Authorization to record Affidavit of Ownership and Encumbrances from Cemex Construction Materials Florida, LLC.

Enabling/Regulating Authority

Florida Statute 125

Background Discussion

The original 44th Avenue East (12th Street East to 19th Street Court East) Road Right of Way Improvement Project was approved in the FY 1994/1995 CIP on February 25, 1994 and reapproved in FY 2009/2010 CIP on September 15, 2009, Resolution R-09-219.

The subject property is located at 4415 15th Street East. The property is situated on the east side of 15th Street East and on the south side of the 44th Avenue East Road Right of Way. An 8220 square foot Right of Way acquisition is required for the 44th Avenue East Road Project.

On February 12, 2013, the BCC executed a Contract for Sale and Purchase of Real Property.

The conveyance documents are hereby submitted to the BCC for acceptance and recording.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Rodney Wade, Deputy County Attorney, reviewed and approved the Special Warranty Deed and Affidavit of Ownership and Encumbrances. Attached email with Escrow Closing letter approved by Rodney Wade.

Reviewing Attorney

N/A

Instructions to Board Records

Notification of document acceptance and recording to Paul Johnson, ext. 6284 or email paul.johnson@mymanatee.org, Property Acquisition, Property Management Department. CCC Charge Account #700013 Project Management. Sent via Email 3/17/13 vj

Cost and Funds Source Account Number and Name

\$45.50 323-6045661-561000-6045661-003 44th Avenue East Road Right of Way Improvement Project.

Amount and Frequency of Recurring Costs

N/A

Attachment: [Cemex executed Special Warranty Deed .pdf](#)

Attachment: [Cemex executed Affidavit .pdf](#)

Attachment: [Cemex transaction document approval by CAO .pdf](#)

Attachment: [Cemex acquisition map .pdf](#)



Fw: Parcel 153

Rodney Wade to: Joaquin Servia, Sia Mollanazar, Paul Johnson,
Andrea Adibe

02/27/2013 03:04 PM

Cc: Sandra Murphy

The Cemex transaction will be complete when payment is made. Please follow the request in counsel's letter.

Rodney C. Wade, Assistant County Attorney
Manatee County Attorney's Office
1112 Manatee Avenue West, Suite 969
Bradenton, Florida 34205
Telephone: (941) 745-3750
Facsimile: (941) 749-3089

rodney.wade@mymanatee.org

----- Forwarded by Rodney Wade/MCG on 02/27/2013 03:00 PM -----

From: Myra Mahoney <myra.mahoney@cemex.com>
To: rodney.wade@mymanatee.org
Cc: paul.johnson@mymanatee.org
Date: 02/27/2013 02:53 PM
Subject: Parcel 153

Gentlemen,

The original documents are going out FedEx for delivery tomorrow. The tracking info is 794849831430.



Myra Mahoney
Corporate Counsel - Legal - United States of America
Office : (561) 820-8679 Fax: (561) 803-6044
Address: 1501 Belvedere Road, West Palm Beach, FL 33406
email: myra.mahoney@cemex.com
www.cemexusa.com



Escrow Closing Letter 022713.pdf.zip



February 27, 2013

VIA FEDEX

Rodney C. Wade, Assistant County Attorney
Manatee County Attorney's Office
1112 Manatee Avenue West, Suite 969
Bradenton, Florida 34205

RE: Contract for Sale and Purchase of Real Property dated February 12, 2013
Parcel ID# 16383.000/2
Parcel 153 – 8,220 sq. ft. - 4415 15th Street East, Bradenton, FL

Dear Mr. Wade:

In furtherance of the closing contemplated by the foregoing transaction, enclosed are the following original documents ("Seller's Documents") to be held in escrow (i) Special Warranty Deed; (ii) Public Disclosure Act Exemption Affidavit; (iii) Affidavit of Ownership and Encumbrances; and (iv) FIRPTA Certificate.

You are hereby authorized and instructed to release the Seller Documents from escrow and record the Special Warranty Deed when you have delivered a check or other certified funds payable to the Seller in the amount of the Purchase Price less prorated taxes as authorized in the Contract for Sale and Purchase of Real Property.

Promptly after recording, please return a date-stamped copy of the Special Warranty Deed in the prepaid FedEx envelope included with this package.

Sincerely,

A handwritten signature in black ink, appearing to read 'Myra P. Mahoney', written over a horizontal line.

Myra P. Mahoney
Corporate Counsel

Cc: Mr. Paul Johnson
Real Property Specialist
Manatee County
Property Management Department

East Region

1501 Belvedere Road, West Palm Beach, FL 33406, USA, (561) 833-5555



Right-of-Way
Acquired



Cemex Construction Materials Florida LLC
Site Location: S7 T35 R18
PID# 1638300002
District 4
COMMISSIONER: Robin DiSabatino
Legend: Right-of-Way to be Acquired